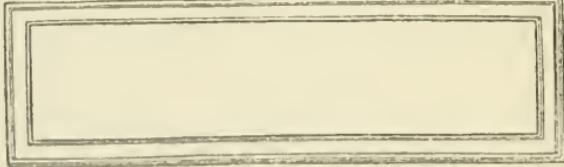
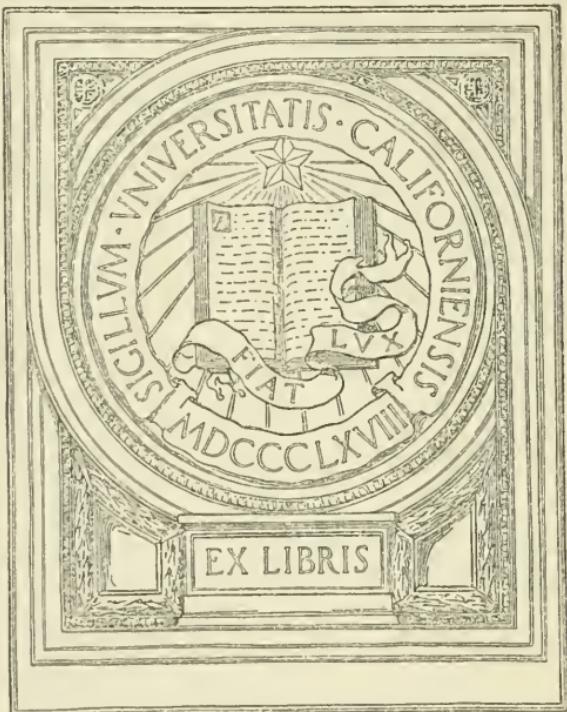
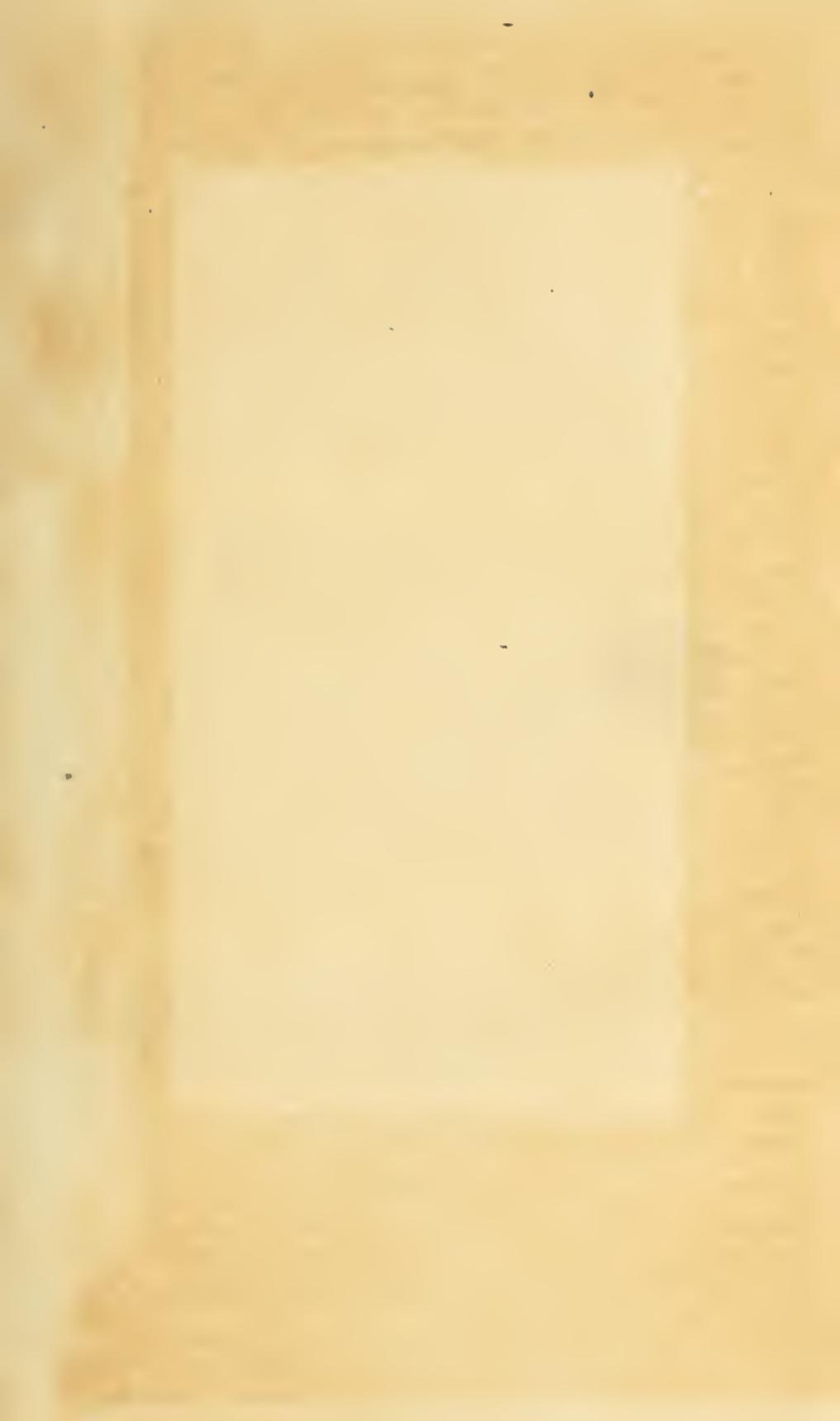


LEADERS OF THE PEOPLE  
STUDIES IN DEMOCRATIC HISTORY

JOSEPH CLAYTON

UNIVERSITY OF CALIFORNIA  
AT LOS ANGELES









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# Leaders of the People



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# LEADERS OF THE PEOPLE

STUDIES IN DEMOCRATIC HISTORY

*By* JOSEPH CLAYTON



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To the Memory of

FREDERICK YORK POWELL

Regius Professor of Modern History  
at the University of Oxford

1894-1904

“I loved him in life and I love him  
none the less in death: for what  
I loved in him is not dead.”



# CONTENTS

## PREFACE

Page  
xi

I. ARCHBISHOP ANSELM AND NORMAN AUTOCRACY, 1093-1130	3
II. THOMAS OF CANTERBURY, THE DEFENDER OF THE POOR, 1162-1170	33
III. WILLIAM FITZOSBERT, THE FIRST ENGLISH AGITATOR, 1188-1189	69
IV. STEPHEN LANGTON AND THE GREAT CHARTER, 1207-1215	81
V. BISHOP GROSSETESTE, THE REFORMER, 1235-1253	99
VI. SIMON OF MONTFORT AND THE ENGLISH PARLIA- MENT, 1258-1265	117
VII. WAT TYLER AND THE PEASANT REVOLT, 1381	141
VIII. JACK CADE, THE CAPTAIN OF KENT, 1450	173
IX. SIR THOMAS MORE AND FREEDOM OF CONSCIENCE, 1529-1535	193
X. ROBERT KET AND THE NORFOLK RISING, 1549	217
XI. ELIOT, HAMPDEN, AND PYM AND THE SUPREMACY OF THE COMMONS, 1626-1643	245
XII. JOHN LILBURNE AND THE LEVELLERS, 1647-1653	277
XIII. WINSTANLEY THE DIGGER, 1649-1650	293
XIV. MAJOR CARTWRIGHT, THE FATHER OF REFORM 1776-1820	307
XV. ERNEST JONES AND CHARTISM 1838-1868	319
CONCLUSION	335
INDEX	339



# PREFACE

*“Let us now praise famous men, and our fathers who begat us.”*

THE names of the seventeen men, here named “Leaders of the People,” are for the most part familiar in our mouths as household words. Those who triumphed, like Anselm and Stephen Langton; or whose cause triumphed, like Simon of Montfort, Eliot, Pym and Hampden, are beyond any loss of fame. Those who in high place quitted themselves like men and died game (if the phrase may be permitted), as did Thomas Becket and Sir Thomas More, have, for all time, deservedly their reward. The unsuccessful rebels, FitzOsbert (called Longbeard), Wat Tyler, Jack Cade and Robert Ket, are hard put to get rid of the obloquy heaped upon them by contemporary authority; while the later rebels, equally unsuccessful, Lilburne, Winstanley, Major Cartwright and Ernest Jones, relying on the pen rather than the sword, escaped the hangman, and in so doing narrowly escaped oblivion. Good Bishop Grosseteste, living out his long life, thwarted often, but unmartyred, enjoys the reputation commonly awarded to conscientious public servants who die in harness.

On the whole, re-perusing the records of these seventeen men, who would altogether reverse the

verdicts of time? The obloquy may be removed when the work of the rebels is fairly seen, and it may be judged that they deserved better of the State than appeared when they troubled its peace. The rebels of the pen, too, should be worthy of recollection in this age, for they wrought manfully with the weapon now at once so powerful and so popular. The greater men of our series stand out higher as the distance increases. So far readjusted, the awards of history may be accepted.

But with all the differences of character, one common quality binds these men whose stories are here retold—a resolute hatred of oppression. And one common work, successful or unsuccessful, was theirs—to labour for the liberties of England and the health of its people. The value of each man's work can only be stated approximately: it is difficult to make full allowance for the vastly different parts our heroes, statesmen and rebels alike, were called to play. The great thing is, that whatever the part, they played it faithfully, as they read it, to the end. We may admit the degrees of service given: it is impossible to do otherwise. Some of these Leaders shone as great orbs of light in their day and generation, lighting not only England, but all western Europe—and still their light burns true and clear across the centuries. Others were but flickering rush-lights—long extinct now. But none were will-o'-the-wisps, for all helped to show the road to be travelled by English men and women seeking free-

dom, and moving ever towards democracy. At the least, we—enjoying an inheritance won at a great price, and only to be retained on terms no easier—can keep the memory green of some few valiant servants of our liberties. What is wanted is a real history of the growth of the idea of freedom and of popular liberty in this country ; and these rough biographical sketches may be accepted as a contribution to the materials for such a book. “ Biography is a department of history, and stands to it as the life-history of a plant or an animal does to general biology.”

I have gone back to all the original sources to get once more at the lives of these “ Leaders of the People,” and to see them as they were seen by their contemporaries ; but I have also done my best to read what the historians of our own day have written concerning them, and in mentioning my authorities I have, in each case, given a list of the modern books that seem to me valuable.

J. C.

*September, 1910.*



# Archbishop Anselm and Norman Autocracy

1093-1109

AUTHORITIES: Eadmer—*Historia Novorum* and *Life of Anselm*; Orderic of St. Evroul; *The English Chronicle*; Florence of Worcester; William of Malmesbury; (Rolls Series); Sir Francis Palgrave—*England and Normandy*; Freeman—*Norman Conquest*, Vol. V., *Reign of William Rufus*; Dean Church—*St. Anselm*.

# ARCHBISHOP ANSELM AND NORMAN AUTOCRACY

1093 - 1109.

**T**HE first real check to the absolutism of Norman rule in England was given by Anselm, Archbishop of Canterbury.

The turbulent ambition of Norman barons threatened the sovereignty of William the Conqueror and of his son, the Red King, often enough, but these outbreaks promised no liberty for England. The fires of English revolt were stamped out utterly five years after Senlac, and the great Conqueror at his death left England crushed; but he left it under the discipline of religion, and he left it loyal to the authority of the crown, grateful for the one protection against the lawless rule of the barons.

The English Chronicler, writing as "one who knew him and once lived at his court," summed up the character of the Conqueror's life and work in words that have been freely quoted through the centuries:—

"King William was wiser and mightier than any of his forerunners. He built many minsters, and was gentle to God's servants, though stern beyond all measure to those who withstood his will. . . . So stark and fierce was he that none dared resist his will. Earls that did aught against his bidding he put in bonds, and bishops he set off their bishoprics, and

abbots off their abbacies, and thanes he cast into prison. He spared not his own brother, called Odo, who was the chief man next to the king, but set him in prison. So just was he that the good peace he made in this land cannot be forgotten. For he made it so that a man might fare alone over his realm with his bosom full of gold, unhurt; and no man durst slay another man whatsoever the evil he hath done him; and if any man harmed a woman he was punished accordingly. He ruled over England, and surveyed the land with such skill that there was not one hide but that he knew who held it, and what it was worth, and these things he set in a written book. So mighty was he that he held Normandy and Brittany, won England and Maine, brought Scotland and Wales to bow to him, and would, had he lived two years longer, have won Ireland by his renown, without need of weapons. Yet surely in his time men had much travail and very many sorrows; and poor men he made to toil hard for the castles he had built. He fell on covetousness, and the love of gold; and took by right and by unright many marks of gold and more hundred pounds of silver of his people, and for little need. He made great deer-parks, and ordered that whoso slew hart or hind, him men should blind; and forbade men to slay deer or boar, and made the hare go free; he loved the big game as if he were their father. And the poor men that were oppressed he recked nought of. All must follow the king's will if they would live, or have land, or even a quiet life."

But now, in September, 1087, the great King William was dead, with his life-work done; and

from the tyranny of a strong and just ruler, England passed to the despotism of his fearless son, William the Red, who was “terrible and mighty over his land and his men and towards all his neighbours;” in whose reign “all that was loathsome in the eyes of God and righteous men was of common use; wherefore he was loathed by well-nigh all his people, and hateful to God as his end showed.”

There was much of the later Puritan in William I., in the steadfastness of purpose, the suppression of “malignants,” and determination to have justice done, no less than in the sincerity for Church reform, and the deep respect for the ordinances of religion. No king of England worked more harmoniously with a strong archbishop than William I. with Lanfranc—save, perhaps, Charles I. with Laud.

Then on the death of William I., followed less than two years later by Lanfranc’s, came the reaction in Church and State from the efforts after law, religion, and social decency under the Conqueror’s rule.

The Red King had all his father’s sternness and strength, but was without any of that belief in justice, that faith in the Sovereign Power of a Living God, that desire for law and order, and that grave austerity in morals, which saved the Conqueror from baseness in his tyranny.

William II., unmarried, made the wildest and most brutish profligacy fashionable at court. To pay for his debaucheries and extravagances he plundered all who could pay, in especial the Church, enjoying the revenues of all vacant sees and abbeys, and declining to fill up the vacancies so that this

enjoyment might remain. After Lanfranc, as the king's chief adviser, came Ranulf (nicknamed the Torch, or Firebrand), a coarse, unscrupulous bully, with the wit of a criminal lawyer. This man was made Bishop of Durham, and Justiciar. For him government meant nothing but the art of getting money for his royal master, and silencing all opposition.

For over three years there was no Archbishop of Canterbury, and the Red King refused to fill up the vacancy caused by Lanfranc's death, preferring to enjoy the revenues and possessions of the see; a thing that was shocking to all lovers of religion, and scandalous to those who cared for public decency and the good estate of the country.

Eadmer, a contemporary, describes the condition of England in those early years of William II. :—

“ The king seized the church at Canterbury, the mother of all England, Scotland, and Ireland, and the neighbouring isles; he bade his officers to make an inventory of all that belonged to it, within and without; and after he had fixed an allowance for the support of the monks who served God in that place, he ordered the remainder to be disposed of at a rent and brought under his domain. So he put up the Church of Christ to sale; giving the power of lordship over it to anyone who, however hurtful he might be, would bid the highest price. Every year, in wretched succession, a new rent was set; for the king would allow no bargain to remain settled, and whoever promised more ousted him who was paying less, unless the former tenant, giving up his original bargain, came up of his own accord to the offer of the later bidder: and every

day might be seen, besides, the most abandoned of men on their business of collecting money for the king, marching about the cloisters of the monastery, heedless of the religious rule of God's servants, and with fierce and savage looks giving their orders on all sides ; uttering threats, lording it over every one, and showing their power to the utmost. What scandals and quarrels and irregularities arose from this I hate to remember. Some of the monks of the church were dispersed at the coming of this misfortune, and sent to other houses, and those who remained suffered many tribulations and indignities. What shall I say of the church tenants, ground down by such wasting and misery, that one might doubt, but that worse followed, whether escaping with bare life they could have been more cruelly oppressed. Nor did all this happen only at Canterbury. The same savage cruelty raged in all her daughter churches in England, which, when bishop or abbot died, at that time fell into widowhood. And this king, too, was the first who ordered this woeful oppression against the churches of God ; he had inherited nothing of this sort from his father, but was alone in keeping the vacant churches in his own hands. And thus, wherever you looked, there was wretchedness before your eyes ; and this distress lasted for nearly five years over the Church of Canterbury, always increasing, always, as time went on, growing more cruel and evil."

There is no word of exaggeration in this pitiful lament of Eadmer's. England under William II. was at the mercy of a Norman whose notion of absolute monarchy was to bleed the land as a subject

province. Courageous in battle he was, and skilful in arms, but utterly heedless of the welfare of the people he ruled. It was enough for the Red King if his demands for money were met. There was no one strong enough to gainsay his will, or stand before him as the prophets of old stood before the kings of Israel, until Anselm came to Canterbury. It is only in the utterances of men like Eadmer we learn something of the misery of the nation.<sup>1</sup>

The king was with his court at Gloucester at Christmas, 1092, and Anselm, then abbot of the famous monastery of Bec in Normandy, was in England at that time; partly to comfort his friend, Earl Hugh of Chester, who was sick, and partly to attend to the English affairs of his monastery.

Anselm was known as the friend of Lanfranc. He had been a welcome guest at the court of the Conqueror and in the cloisters at Canterbury. His character stood high above all contemporaries in England or Normandy. Anselm was surely the right man to be made archbishop, and so put an end to a state of things which even to the turbulent barons was discreditable to the country.

The Red King bade Anselm come to his court, and received him with great display of honour.

<sup>1</sup> "By the mouth of the clergy spoke the voice of the helpless, defenceless multitudes who shared with them in the misery of living in a time when law was the feeblest and most untrustworthy stay of right, and men held everything at the mercy of masters, who had many desires and less scruples, were quickly and fiercely quarrelsome, impatient of control, superiority and quiet, and simply indifferent to the suffering, the fear, the waste that make bitter the days when society is enslaved to the terrible fascination of the sword."—Church, *Saint Anselm*.

"Unrestrained by religion, by principle or by policy, with no family interests to limit his greed, extravagance and hatred of his kind, a foul incarnation of selfishness in its most abhorrent form, the enemy of God and man, William Rufus gave to England and Christendom a pattern of absolutism."—Stubbs, *Constitutional History*. Vol. I.

Then came a private interview, and Anselm at once told the king how men spoke ill of his misrule: "Openly or secretly things were daily said of him by nearly all the men of his realm which were not seemly for the king's dignity." They parted, and Anselm was busy for some time in England. When the abbot wished to return to Bec William refused him leave to quit the country.

At the beginning of Lent, March, 1093, the king was lying sick at Gloucester. It was believed the sickness was mortal. Certainly the king thought himself dying. Anselm was summoned to minister to him, and on his arrival bade the king "make a clean confession of all that he knows that he has done against God, and promise that, should he recover, he will without pretence amend in all things. The king at once agreed to this, and with sorrow of heart engaged to do all that Anselm required, and to keep justice and mercy all his life long. To this he pledged his faith, and made his bishops witnesses between himself and God, sending persons in his stead to promise his word to God on the altar. An Edict was written and sealed with the king's seal that all prisoners should be set free in all his dominions, all debts forgiven, all offences heretofore committed pardoned and forgotten for ever. Further, good and holy laws were promised to the whole people, and the sacred upholding of right and such solemn inquest into wrongdoing as may deter others."

Thus Eadmer.

Florence of Worcester puts the matter more briefly. "When the king thought himself about to die he vowed to God, as his barons advised him, to

amend his life, to sell no more churches nor farm them out, but to defend them by his kingly might, and to end all bad laws and to establish just laws."

There was still the vacant archbishopric to be filled, and the king named Anselm for Canterbury.

In vain Anselm pleaded that he was an old man—he was then sixty—and unfit for so great a responsibility, that he was a monk and had shunned the business of the world.

The bishops assembled round the sick king's bed would not hear the refusal. Here was religion well nigh destroyed in England, and evil rampant, and the Church of God stricken almost to death, and at such a time was Anselm to prefer his own ease and quiet to the call to deliver Canterbury from its bondage? By main force they placed a pastoral staff within his hands, and while the crowd shouted "Long live the bishop!" he was "carried rather than led to a neighbouring church." The king at once ordered that Anselm should be invested with all the temporal rights of the see, as Lanfranc had held them, and in September, 1093, Anselm was enthroned at Canterbury, and in December he was consecrated.

Anselm warned the bishops and nobles when they forced the archbishopric upon him that they were making a mistake. "You have yoked to the plough a poor weak sheep with a wild bull," he said. "This plough is the Church of God, and in England it has been drawn by two strong oxen, the king and the Archbishop of Canterbury, one to do justice and to hold power in the things of this world, the other to teach and govern in the things eternal. Now

Lanfranc is dead, and with his untamed companion you have joined an old and feeble sheep."

That the king and the archbishop were unevenly yoked was manifest on William's recovery, but it was no poor sheep with whom Rufus had to deal, but a man as brave and steadfast as he was gentle and wise.

Trouble began at once when William rose from his sick-bed. Anselm was now enthroned and no attempt was made to revoke the appointment. But the king's promises of public amendment were broken without hesitation. The pardoned prisoners were seized, the cancelled debts redemanded and the proceedings against offenders revived.

"Then was there so great misery and suffering through the whole realm that no one can remember to have seen its like in England. All the evil which the king had wrought before he was sick seemed good by the side of the wrong which he did when he was returned to health."

The king wanting money for his expedition against his brother, Robert of Normandy, tried to persuade Anselm to allow the Church lands, bestowed since Lanfranc's death on vassals of the crown on tenure of military service, to remain with their holders. He was answered by steady refusal. Had Anselm yielded, he would have been a party to the alienation of lands, that, as part of the property of the see, he was bound to administer for the common good; he would have been a party not only to the spoiling of the Church, but to the robbery of the poor and needy, whose claims, in those days, to temporal assistance from Church estates were not disputed. Any subsequent restitu-

tion of such lands was impossible, he foresaw, if it was shown that the archbishop had confirmed what the king had done.

Then came the question of a present of money to the king. Anselm brought five hundred marks, and, but for his counsellors and men of arms, who told him the archbishop ought to have given twice as much, William would have taken the gift gladly enough. As it was, to show his dissatisfaction, the money was returned. Anselm went boldly to the king and warned him that money freely given was better than a forced tribute. To this frank rebuke of the extortion practised by the king's servants, William answered that he wanted neither his money, nor his preaching, nor his company. Anselm retired not altogether displeased at the refusal, for too many of the clergy bought church offices by these free gifts after they were instituted. In vain his friends urged him to seek the king's favour by increasing his present, Anselm gave the five hundred marks to the poor, and shook his head at the idea of buying the king's favour.

But if Anselm declined to walk in the path of corruption to oblige the king, William was equally resolute to make the path of righteousness a hard road for the archbishop.

In February, 1094, when the Red King was at Hastings waiting to cross to Normandy, Anselm appealed to him to sanction a council of bishops, whose decisions approved by the crown should have the authority of law. There were two things for such a council to do : (1) stop the open vice and profligacy which ravaged the land ; (2) find abbots for the many monasteries then without heads. In

Anselm's words, the council was "to restore the Christian religion which was well-nigh dead in so many."

William treated the request with angry contempt, and when Anselm sent bishops to him asking why the king refused him friendship, an evasive answer was returned.

"Give him money," said the bishops again to Anselm, "if you want peace with him. Give him the five hundred marks, and promise him as much more, and you will have the royal friendship. This, it seems to us, is the only way out of the difficulty."

But it was not Anselm's way. He would not even offer what had been rejected. "Besides, the greater part of it was spent on the poor."

William burst out into wrathful speech when he was told of this reply. "Never will I hold him as my father and archbishop, and ever shall I hate him with bitter hatred. I hated him much yesterday, and to-day I hate him still more."

A year later (March, 1095) at a great council of bishops and nobles, held at the castle of Rockingham, the king's hatred had full vent. From the first the Archbishop of Canterbury received from the Pope a *pallium*, the white woollen stole with four crosses, which was "the badge of his office and dignity,"<sup>1</sup> and Anselm was anxious to journey to Rome to obtain his pallium from Pope Urban. William objected to this on the ground that there was another claimant to the papacy, and that until he had decided who was the rightful pope no one in England had a right to do so. In vain Anselm

<sup>1</sup> No Archbishop of Canterbury has received the pallium since Cranmer, but the sign of it remains in the archiepiscopal arms of Canterbury.

pointed out that he, with all Normandy, had acknowledged Urban before he had become archbishop. William retorted angrily that Anselm could only keep his faith to the Apostolic See by breaking his faith to the king.

The council of Rockingham met to settle the question—not the question of the supremacy of Rome in Western Christendom<sup>1</sup>—but the question whether, in England, there was any higher authority than the crown. William did not pretend to dispute the papal supremacy in the Church. His claim was that the king alone must first acknowledge the pope before any of his subjects could do so. In reality the king's one desire was "to take from Anselm all authority for maintaining the Christian religion. For as long as any one in all the land was said to hold any power except through him, even in the things of God, it seemed to him that the royal dignity was diminished." (Eadmer.) William acknowledged Pope Urban readily enough, but he would have Archbishop Anselm understand that the papacy must be acknowledged by permission of the king of England. That was the real ground of contention between these two men: was there any power on earth higher in England than the English crown? According to William, to appeal to Rome was to dispute the absolutism of the crown. Anselm maintained that in all things of God he must render obedience to the Chief Shepherd and Prince of the Church, to the Vicar

<sup>1</sup> "No one in those days imagined Christianity without Christendom, and Christendom without a Pope: and all these bishops understood exactly as Anselm did the favourite papal text, 'Thou art Peter, and on this rock I will build my Church.' Nobody in those days doubted the divine authority of the Pope."—Church, *Saint Anselm*.

of St. Peter ; and in matters of earthly dignity he must render counsel and service to his lord the king.

The bishops at Rockingham were the king's men. Many of them had bought their bishoprics, all were afraid of the royal displeasure. The stand made by Anselm, unsupported though he was, did something to inspire a better courage in the ranks of the clergy<sup>1</sup>; but in that Lent of 1095 there was no sign of support for the archbishop. William only wanted to break the will of this resolute old man, the one man in all the kingdom who dared to have a mind and utterance of his own, and the mitred creatures of the king supported their lord even to the point of recommending the forcible deposition of Anselm from his see, or at least of depriving him of the staff and ring of office. With one consent the bishops accepted the king's suggestion of renouncing all obedience to Anselm.

But the barons were not so craven. To the king's threat, " No man shall be mine, who will be his " (Anselm's), the nobles said bluntly that not having taken any oath of fealty to the archbishop they could not abjure it. And Anselm was their archbishop. " It is his work to govern the Christian religion in this land, and we who are Christians cannot deny his guidance while we live here."

The three days' conference at Rockingham ended in disappointment to the hopes of William of absolute autocracy, and in general contempt for the prelates whose abject servility had availed nothing.

Anselm alone stood higher in the eyes of the men

<sup>1</sup> "The boldness of Anselm's attitude not only broke the tradition of ecclesiastical servitude, but infused through the nation at large a new spirit of independence."—J. R. Green.

of England, and greater was the ill-will of William. For another two years Anselm held his ground against the king. The pallium was brought from Rome by Walter, Bishop of Albano, and placed on the altar at Canterbury, and Anselm was content to take it from the altar. William had written in vain to Pope Urban praying for the deposition of Anselm, and promising a large annual tribute to Rome if his prayer was granted. The pope, of course, declined to do anything of the sort, and William had to make the best of the situation. He wanted money for his own purposes, and his barons were now against him in his quarrel with the archbishop. For a time William adopted a semblance of peace with Anselm, but his anger soon blazed out again. The ground of complaint this time was that the soldiers whom the archbishop had sent to the king for his military expedition against Wales were inadequate—without proper equipment, and unfit for service. The archbishop was summoned to appear before the King's Court to "do the king right."

From the time of his acceptance of the archbishopric, Anselm had been hoping against hope that the king would support him, as the Conqueror had supported Lanfranc, in the building up of the Christian religion in England—this summons to the King's Court was the death-blow to all these hopes. The defendant in the King's Court was at the mercy of the king, who could pronounce whatever judgment he pleased.<sup>1</sup> Anselm returned no answer to the summons, but his mind was made up.

<sup>1</sup> "When in Anglo-Norman times you speak of the 'King's Court,' it is only a phrase for the king's despotism."—Sir F. Palgrave, *History of Normandy and England*.

"Having knowledge that the king's word ruled all judgment in the King's Court, where nothing was listened to except what the king willed, it seemed to Anselm unbecoming that he should contend, as if disputing, as litigants do, about a matter of words, and should submit the justice of his cause to the judgment of a court where neither law, nor equity, nor reason prevailed. So he held his peace, and gave no answer to the messenger." (Eadmer.)

From the despotism of the Red King Anselm would turn for justice to the centre of Christendom. In England he was impotent to stem the evil that flowed from the savage absolutism of the throne. All that one man could do to resist the royal tyranny Anselm had done, and now this summons to the King's Court was the final answer to all his efforts to restrain a lawless king, and to promote the Christian religion in England. He would not go through the farce of pleading in the King's Court, where judgment was settled by the unbridled caprice of the king, self-respect forbade the archbishop from that; he would appeal to the only court on earth higher than the courts of kings—the court whose head, in those days, was the head of Christendom.<sup>1</sup>

<sup>1</sup> "The see of St. Peter was the acknowledged constitutional centre of spiritual law in the West. . . . It was looked upon as the guide and regulator of teaching, the tribunal and court from which issued the oracles of right and discipline, the judgment seat to which an appeal was open to all, and which gave sentence on wrong and vice without fear or favour, without respect of persons, even the highest and the mightiest. . . . If ever there was a time when the popes honestly endeavoured to carry out the idea of their office, it was just at this period of the Middle Ages. They attempted to erect an independent throne of truth and justice above the passions and the force which reigned in the world around."—Church, *Saint Anselm*.

"Under the rule of William the Red, law had become unlawful, and in appealing from him to the apostolic throne Anselm might deem he was appealing from mere force and fraud to the only shadow of right that was still left on earth."—Freeman, *Norman Conquest*, Vol. V.

William dropped the summons to the King's Court, and for a time refused permission to Anselm to leave the country. Bishops and barons now urged Anselm not to persist in his appeal to Rome. But the archbishop was resolute, and in the autumn of 1097 the king yielded, and Anselm left the country.<sup>1</sup>

The first campaign against despotism in England was over—the battle was to be renewed when Henry I. wore the crown.

At Rome Pope Urban, with all the goodwill in the world, and with a very real affection and regard for Anselm, could do nothing against the Red King except rebuke his envoys, and do honour to the much-tried archbishop. Anselm himself prevented the excommunication of William when it was proposed at the Council of Bari, October, 1098.

But Pope Urban would not allow Anselm to resign his archbishopric, and this in spite of all Anselm's entreaties.

In the spring of 1099 came a General Council at

<sup>1</sup> "In England Anselm had stood only for right and liberty; he, the chief witness for religion and righteousness, saw all round him vice rampant, men spoiled of what was their own—justice, decency, honour trampled under foot. Law was unknown, except to ensnare and oppress. The King's Court was the instrument of one man's selfish and cruel will, and of the devices of a cunning and greedy minister. The natural remedies of wrong were destroyed and corrupted; the king's peace, the king's law, the king's justice, to which men in those days looked for help, could only be thought of in mocking contrast to the reality. Against this energetic reign of misrule and injustice, a resistance as energetic was wanted; and to resist it was felt to be the call and bounden duty of a man in Anselm's place. He resisted, as was the way in those days, man to man, person to person, in outright fashion and plain-spoken words. He resisted lawlessness, wickedness, oppression, corruption. When others acquiesced in the evil state, he refused; and further, he taught a lesson which England has since largely learned, though in a very different way. He taught his generation to appeal from force and arbitrary will to law. It was idle to talk of appealing to law in England; its time had not yet come."—Church, *Saint Anselm*.

Rome—at which Anselm assisted—a council remarkable for its decision against allowing clergy to receive investiture of churches from the hands of laymen, and by so doing to become the vassals of temporal lords. Excommunication was declared to be the penalty for all who gave or received Church appointments on such conditions.

It was at the close of this council that an outspoken Bishop of Lucca called attention to Anselm's case. "One sits amongst us in silence and meekness who has come from the far ends of the earth. His very silence cries aloud. His humility and patience, so gentle and so deep, as they rise to God should set us on fire. This one man has come here, wronged and afflicted, seeking judgment and justice of the Apostolic See. And now this is the second year, and what help has he found?"

Pope Urban answered that attention should be given, but nothing further was done.

Anselm left Rome and went to Lyons, remaining in France until the death of William in August, 1100. Henry was at once chosen king in his room, and crowned at Westminster three days after his brother's death. Six weeks later, at Henry's earnest request—he prayed him "to come back like a father to his son Henry and the English people"—Anselm landed at Dover and returned to take up the task allotted to him on his consecration as archbishop.

Henry at the outset of his reign promised "God and all the people" that the old scandals of selling and farming out the Church lands should be stopped, and "to put down all unrighteousness that had been in his brother's time, and to hold the best laws that ever stood in any king's day before him." That this

charter was of value may be taken from the verdict on the king by the Chronicler of the time. "Good man he was and great awe there was of him. No man durst misdo against another in his day. He made peace for man and beast. Whoso carried a burden of gold and silver no man durst do him wrong."

Two evils that pressed very hardly on the mass of hard-working people, the devastation that attended the king's progress through the land<sup>1</sup>, and the coining of false money, were at Anselm's instigation checked by the king.

But with all Henry's desire for the restoration of religion and law in the land, he was the Conqueror's son, and for Anselm the struggle against absolutism in government was not yet over. Only now the battle was not with a fierce, untamed despot like the Red King, but with an autocrat of an even more formidable type, a stern man of business, in whose person alone must be found the source of all law and order, and who would brook no questioning of the royal will.

At the beginning of his reign Henry found the archbishop's loyalty and good sense invaluable. As Lanfranc had stood by the Conqueror in a marriage which was objectionable from the point of view of Church law, so Anselm stood by his son when he

<sup>1</sup> "No discipline restrained them (the king's attendants); they plundered, they devastated, they destroyed. What they found in the houses which they invaded and could not consume, they took to market to sell for themselves or they burnt it. If it was liquor they would bathe the feet of their horses in it or pour it on the ground. It shames me to recall the cruelties they inflicted on the fathers of families and the insults on their wives and daughters. And so, whenever the king's coming was known beforehand, people fled from their houses and hid themselves and their goods, as far as they could, in the woods or wherever safety might be found."—Eadmer.

sought the hand of Edith, daughter of the sainted Queen Margaret of Scotland. Here the objection to the marriage was not on the grounds of affinity or consanguinity, but in the fact that Edith was an inmate of the convent at Romsey, and, it was alleged, a professed nun. Edith insisted that she had but taken refuge in the convent to obtain the protection of her aunt Christina, the abbess, and she had worn the habit of a nun as a safeguard against the brutal passions of the Red King and his courtiers. The fear of violence at the hands of the Normans had driven women to take the veil, and Lanfranc had been known to grant release from vows taken under such mortal pressure. Anselm was not the man to exalt the letter of the law above the spirit of liberty. He was content that a council of the great men in Church and State should hold an inquiry, and on their verdict declaring Edith free of her vows, the archbishop gave his blessing on the marriage.

The same great qualities of loyalty and good sense made Anselm stand by the king when the Norman lords, pricked on by Ranulf the Torch, the rascally Bishop of Durham (who had escaped from imprisonment in the Tower by making his gaolers drunk), and hating Henry for "his English ways," proposed to back up Robert of Normandy in his attempts to seize the crown. According to Eadmer, but for Anselm's faithfulness and labours, which turned the scale when so many were wavering, King Henry would have lost the sovereignty of the realm of England at that time.

But Anselm's services to the king are of small account by the side of his services to English liberty, and Anselm's resistance to Henry's demands for an

absolute monarchy was of lasting influence in the centuries that followed.<sup>1</sup>

The struggle began when Henry called upon Anselm for a new declaration of homage to the crown, and required him to receive the archbishopric afresh by a new act of investiture. This was a claim that had never been made before. "It importeth that on the death of the sovereign the archbishop's commission expired, that his office was subordinate and derivative, and the dignity therefore reverted to the crown." (Sir F. Palgrave.)

Anselm met the demand with the answer that such a course was impossible. Nay, the very ecclesiastical "customs" which for some time past had given the appointment of bishops and abbots to the crown, and had made the bishops "the king's men" by obliging them to do homage and to receive investiture of their office with ring and staff at the royal hands, were now impossible for Anselm. The Council at the Lateran, at which Anselm had been present, had forbidden the bishops of the Church to become the vassals of the kings of the earth, and Anselm was not the man to question this decision. He had seen only too much, under William the Red, of the curse of royal supremacy in the Church. He had stood up alone against the iniquities of misrule, just because the bishops, who should have been pastors and overseers of a Christian people, were the sworn creatures of the king. Henceforth it was forbidden by the authority that rested in the seat of St. Peter at Rome for a bishop to receive consecration as a king's vassal.

<sup>1</sup> "If the Church had continued to buttress the thrones of the kings whom it anointed, or if the struggle had terminated in an undivided victory, all Europe would have sunk down under a Byzantine or Muscovite despotism."—Acton, *History of Freedom in Christianity*.

But if Anselm would be no party to what had become an intolerable evil, Henry would not give up the rights his father had exercised without a contest. He was willing to do his best for the Church, but it must be in his own way. "Pledging himself in his own heart and mind not to abate a jot of his supremacy over the clergy, he would exercise his authority in Church affairs somewhat more decently than his father, and a great deal more than his brother; but that was all." (Sir F. Palgrave.)

Both Henry and Anselm recognized the gravity of the issue. Were the bishops and abbots to continue to receive investiture from the king they were "his men," and his autocracy was established over all. Stop the investiture and the bishops were first and chiefly the servants of the Most High, acknowledging a sovereignty higher than that exercised by the princes of this world, and preferring loyalty to the Church Catholic and its Father at Rome, to blind obedience to the crown.

In brief, the question in dispute really was—Was there, or was there not, any power on earth greater than the English crown?—a question which no English king before Henry VIII. answered successfully in the negative. In contending for the freedom of the bishops of the Church from vassalage to the crown, Anselm was contending for the existence of an authority to which even kings should pay allegiance. It was not the rights of the clergy that were at stake, for the terrors of excommunication did not prevent bishops from receiving consecration on Henry's terms, and Anselm stood alone now, as in the days of the Red King, in the

resistance to despotism. It was the feeling and the knowledge, which Anselm shared with the best churchmen of his day, that great as the power of the king must be, it was a bad thing for such power to exist unchecked, and that it were well for the world that its mightiest monarchs should know there was a spiritual dominion given to the successor of St. Peter, and to his children, a dominion of divine foundation that claimed obedience even from kings.

Anselm put it to the king that the canons of the Church, and the decrees of a great council had forbidden the "customs" of investiture which the king claimed; and he pleaded that he was an old man, and that unless he could work with the king on the acceptance of the Church canons, it was no use his remaining in England, "for he could not hold communion with those who broke these laws": Henry, for his part, was much disturbed. It was a grave matter to lose the investiture of churches, and the homage of prelates; it was a grave matter, too, to let Anselm leave the country while he himself was hardly established in the kingdom. "On the one side it seemed to him that he should be losing, as it were, half of his kingdom; on the other, he feared lest Anselm should make his brother Robert King of England,"—for Robert might easily be brought to submit to the Apostolic See if he could be made king on such terms.

Henry suggested an appeal to the pope on the question of the right of the crown to "invest" the bishops, and Anselm, who all along was anxious for peace—if peace could be obtained without

acknowledgment of royal absolutism — at once agreed.

The pope, of course, could not grant Henry's request. To allow the high offices of the Church to be disposed of at the caprice of kings and princes, without any recognition of the sacredness of these offices, to admit that the chief ministers of religion were first and foremost "the king's men," seemed to Pope Paschal, as it seemed to Anselm, a concession to evil, and the establishment of a principle which experience had proved thoroughly vicious and mischievous.

Then for nearly three years a correspondence dragged on between Henry and the pope, neither wishing for an open rupture, and in the meantime, Henry, backed by most of the bishops and nobles in setting at nought the canons which had forbidden investiture, proposed to go on appointing and investing new bishops as before.

Finally, the king appealed to Anselm to go to Rome "and try what he could do with the pope, lest the king by losing the rights of his predecessors should be disgraced."

Anselm was now (1103) an old man of seventy, but he agreed to go; only "he could do nothing to the prejudice of the liberty of the Church or his own honour." What Henry hoped for was that the pope would grant some personal dispensation in the matter of the royal "customs," and he had tried to persuade Anselm that such dispensation was sure to be granted. Anselm did not believe the dispensation possible or desirable, but left the decision with the acknowledged head of Christendom at Rome; and though for another three years Henry

urged his suit, no dispensation could be wrung from the pope. All that the pope would grant was that the bishops might do "homage" to the crown for their temporal rights.

At last, in April, 1106, Anselm returned to England. The bishops themselves, who had sided with the king against him, implored him to return, so wretched had become the state of religion in England in his absence. They promised to do his commands and to fight with him the battle of the Lord.

Henry, fresh from the conquest of Normandy, sent word of his good-will, and of his desire for the archbishop's presence. The long drawn-out battle was over, and the king had to be content with "homage," and to resign the claim to investiture.

"On August 1st (1107) an assembly of bishops, abbots, and chief men of the realm, was held in London, in the king's palace, and for three days the matter of the investiture of churches was fully discussed between the king and the bishops in Anselm's absence. Then, in the presence of Anselm and before the whole multitude, the king granted and decreed that henceforth and for ever no one should be invested in England with bishopric or abbey by staff and ring, either by the king or the hand of any layman; while Anselm allowed that no one chosen for a bishopric should be refused consecration for having done homage to the king. This having been settled, the king, by the counsel of Anselm and the chief men of the realm, appointed priests in nearly all those churches in England which had long been widowed of their pastors." (Eadmer.)

Victory rested with Anselm. The old archbishop had done his best for the liberty of religion, and by contending for this liberty he had wrought for common freedom.<sup>1</sup> Later ages and struggles were to bring out more clearly that some measure of political and social liberty must follow the demand for freedom in religion. "Religious forces, and religious forces alone, have had sufficient influence to ensure practical realisation for political ideas." (Figgis, *Studies of Political Thought*.)

Anselm's life was nearly over, his work was accomplished, a philosophical treatise "Concerning the agreement of Foreknowledge, Predestination and the Grace of God with Free Will" was written with difficulty in the last years. Then his appetite failed him, and all food became loathsome. At last he was persuaded to take to his bed, and on April 21st, 1109 —the Wednesday of Holy Week —at daybreak Anselm passed away.

Anselm's name has long been enrolled in the calendar of the saints of the Church Catholic, no less is it to be cherished by all who love liberty. Well may it be said of him, "he was ever a close follower of Truth, and walked in noble companionship with Pity and Courage." Anselm's plain good sense and charity were conspicuous in his benediction of the marriage of Henry and Edith, but these great qualities were earlier displayed when Lanfranc consulted him as to the claims of the English Archbishop Ælphege to be canonised as a martyr.

<sup>1</sup> "By the surrender of the significant ceremony of delivering the bishopric by the emblematic staff and ring, it was emphatically put on record that the spiritual powers of the bishop were not the king's to give; the prescription of feudalism was broken." — Church, *Saint Anselm*.

Ælphege had been slain by the Danes for refusing to ransom his life at the expense of his tenants ; and Anselm replied to Lanfranc that he who would die rather than oppress his tenants dies for justice' sake, and he who dies for justice dies a martyr for Christ.

His sympathy and humaneness shone out a thousand times. There is the story Eadmer tells of an abbot, who came to Anselm at Bec, and deplored that he could do no good with the boys at his monastery. "In spite of all we do they are perverse and incorrigible," said the abbot, despondently. "We are always beating them, but they only get worse : and though we constrain them in every way we can, it's all of no use." "Constrain them !" answered Anselm. "Tell me, my lord abbot, when you plant a tree in your garden, do you so tie it up that it cannot stretch forth its branches ? And if you did so, what sort of tree would it become a few years hence when you released it ? But this is just what you do with your boys. You cramp them in with terrors and threats and blows, so that it is quite impossible for them to grow or enjoy any freedom. And kept down in this way their temper is spoilt by evil thoughts of hatred and suspicion against you, and they put down all you do to ill-nature and dislike. Why are you so harsh with them ? Are they not human beings of the same nature as yourself ? How would you like to be treated as you treat them ?" The abbot was finally persuaded that he had been all wrong. "We have wandered," he said, "from the way of truth, and the light of discretion hath not shone on us."

There is another story which gives Anselm's pity

and feeling of kinship with the whole animal creation. It was when he was archbishop, and was riding one day from Windsor to Hayes that a hare chased by the dogs of some of his company took refuge under the feet of his horse. Anselm at once pulled up and forbade the hare to be molested, and when his escort laughed gleefully at the capture, the archbishop said: "You may laugh, but it is no laughing matter for this poor unhappy creature, which is like the soul of a departing man pursued by evil spirits. Mortal enemies attack it, and it flies to us for its life: and while it turns to us for safety we laugh." He rode on, and in a loud voice forbade the dogs to touch the hare; which, glad to be at liberty, darted off to the fields and woods.

That Anselm never wavered in his tenderness for the weak and oppressed may be learnt from the great Church Synod held at Westminster in 1102—a council summoned on the strong request of the archbishop. The slave trade was specially denounced at this council as a "wicked trade used hitherto in England, by which men are sold like brute animals," and a canon was drawn up to that effect.

Anselm's enduring courage and desire for truth are conspicuous all his life. He fought single-handed against both William and Henry, and no weight of numbers, no world-wise talk from other prelates could make him budge. If he withstood the Red King and his court at Rockingham, equally firm was he in withstanding the Norman barons who were inclined to break away from their sworn allegiance to Henry. No Englishman by birth or

blood was Anselm, for he was born at Aosta, and spent the greater part of his life on the Continent, but he brought to England the finest gifts of life, and gave them freely in service to England's liberty. He withstood an absolutism that threatened the total enslavement of the nation, and the witness he bore to liberty was taken up and renewed in the centuries that followed. "Anselm was truly a great man. So good that he was held a saint in his very lifetime, so meek that even his enemies honoured him, so wise that he was the foremost thinker of his day, and the forerunner of the greatest philosophers of ours." (F. York Powell.)

Thomas of Canterbury  
The Defender of the Poor

1162-1170

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# THOMAS OF CANTERBURY THE DEFENDER OF THE POOR 1162-1170

**F**IIFTY years after the death of Anselm the struggle with absolute monarchy had to be renewed in England, and again the Archbishop of Canterbury was the antagonist of the crown, standing alone for the most part, as Anselm stood, in his resistance to autocracy.

The contrast is great between the upbringing and character of Anselm and of Thomas; but both men gave valiant service in the cause of liberty in England, and both are placed in the calendar of the saints. For Thomas and Anselm alike the choice was between the favour of the King of England, the safe broad road of passive obedience, and the following of the call of conscience on the craggy way of royal displeasure; and to the everlasting honour of these two men, and of the religion they professed, they chose the steep and narrow path with no faltering step, and followed the gleam, heedless of this world's glory, heedless of life itself.

Thomas was no monk as Anselm was, when the king nominated him for the archbishopric of Canterbury. His early life was not spent in the cloister but in the employment of a wealthy London sheriff, in the office of Archbishop Theobald, at Lambeth, and as Chancellor of England.

The son of gentle parents—his father Gilbert

sometime sheriff—"London citizens of the middle class, not usurers nor engaged in business, but living well on their own income," according to FitzStephen, Thomas was the first Englishman to be made archbishop. His gifts marked him out for high office. Theobald had sent him abroad to study law at the great school at Bologna, and at the age of 36 made him archdeacon of Canterbury, at that time "the dignity in the Church of England next after the bishops and abbots, and which brought him an hundred pounds of silver." A year later, 1155, the young newly crowned king, Henry II., on the advice of old Archbishop Theobald, made Thomas the Chancellor. Theobald, anxious about the present, and apprehensive for the future—for the king was very young, and those about him were known to be hostile to the freedom of the Church and willing to treat England as a conquered land—sought to prevent the evils which seemed to be at hand by making Thomas a partner of the King's counsels. He could say, after ten years' experience, that Thomas was high-principled and prudent, wisely zealous for justice, and whole-hearted for the freedom of the Church, and he held forth to the king on the wisdom, the courage and the faithfulness of his archdeacon, "and the admirable sweetness of his manners."

The appointment was made, nor could anyone say that it was ill done, or that Theobald in his recommendation, or Henry II. in his acceptance, of Thomas for the chancellorship could have done better for England.

The chancellor was magnificent, and his dignity was accounted second from the king. Nobles sent

their children to Thomas to be trained in his service. The king commended to him his son, the heir to the throne. Barons and knights did homage to him. On his embassy to the French king never had been seen such a retinue of followers, and such a lavish display of the wealth and grandeur of England. The proud and mighty he treated with harshness and violence. Yet it was said, by those who knew him intimately, that he was lowly in his own eyes, and gentle and meek to those who were humble in heart. And in the courts of kings, where chastity is never commonly extolled, or purity of life the fashion, Thomas, the chancellor, was known for his cleanness of living and his unblemished honour. Many enemies he had, many who hated him for his power; but never was breath of scandal uttered against the chancellor's private life, or suggestion made that the carnal lusts and appetites which, unbridled, play havoc with men great and small, could claim Thomas for their subject.

He might be reproached by a monk for that he, being an archdeacon, lived so secular a life, wearing the dress of a courtier, and charging on the field with knights in France, but it could not be alleged that church or realm suffered neglect from the chancellor. "By divine inspiration and the counsel of Thomas, the lord king did not long retain vacant bishoprics and abbacies, so that the patrimony of the Crucified might be brought into the treasury, as was afterwards done, but bestowed them with little delay on honourable persons, and according to God's law." (W. FitzStephen.)

The close friendship and warm affection of the king for his chancellor were known to all. When

the day's business was done "they would play together like boys of the same age." They sat together in church and hall and rode out together. "Never in Christian times were there two men more of one mind or better friends." It was natural on the death of Archbishop Theobald, in 1161, that people should point to Thomas as his successor, though the chancellor shrank, as Anselm had done, from the post.

"I know three poor priests in England any one of whom I would rather see advanced to the archbishopric than myself," he declared earnestly, when his friend the prior of Leicester (who also remonstrated with him for his unclerical dress) told him the rumours of the court. "For as for me, if I was appointed, I know the king so through and through that I should be forced either to lose his favour or, which God forbid, to lay aside the service of God."

Thomas uttered the same warning to Henry when the king proposed the primacy to him. "I know certainly," he said, "that if God should so dispose that this happen, you would soon turn away your love, and the favour which is now between us would be changed into bitterest hate. I know that you would demand many things in Church matters, for already you have demanded them, which I could never bear quietly, and the envious would take occasion to provoke an endless strife between us."

But Henry's mind was made up. Residing largely in France, he would have Thomas, Archbishop of Canterbury and Chancellor, to rule England as his vice-regent. Six years had Thomas been the king's friend and chancellor, but the king did not know at all the real character of his man, or

rather it was inconceivable to the royal mind that Thomas, whom the king had raised from a mere nobody, from Archdeacon of Canterbury, an important ecclesiastic at best, to the chief man in the realm, should ever dare set himself at variance with the king's will. Henry, with his untiring energy, was earnest enough for good government in Church and State under an absolute monarchy, and he counted on greater co-operation with Thomas in carrying out his plans, were the latter archbishop. Hitherto, more than once the chancellor had succeeded in moderating the king's outbursts of wrath against some hapless offender, but he had never shown himself a partisan of the clergy at the expense of the commonwealth,<sup>1</sup> and his lack of pride in his order had even incurred rebuke, so little of the ecclesiastic did this statesman appear.

Thomas understood the king better than the king understood his chancellor. But his protests were in vain. He was as surely marked for the archbishopric as Anselm had been. Bishops of the province approved and the monks of Canterbury duly voted for the king's chancellor in common consent, Gilbert Foliot, the Bishop of Hereford, and

<sup>1</sup> "With regard to Thomas' dealings with the Church, if one thing is clear it is this—that he was not in the least a man who pushed his Order at the expense of his loyalty. More than once he refused to listen to an ecclesiastical claim against the king, even when his old friend Theobald was behind it: he was perfectly impartial: he taxed churchmen as he taxed laymen, and in fact, so loyal and reasonable was he that Henry, when he made him archbishop, seems to have thought that he was wholly on his side. There were innumerable questions to be decided between Church and State. Again and again small points came up as to the appointment of this man or the other, as to the infliction or remission of a fine; and again and again Thomas decided the cause and advised the king on the merits of the case. . . . He was as zealous now for the State as he was for the Church afterwards. There he stood Chancellor of England; his business was to administer the laws, and he knew and did his business."—R. H. Benson, *St. Thomas of Canterbury*.

afterwards of London, and the archbishop's enemy to the end, alone opposing the election.

"Then the archbishop-elect was by the king's authority declared free of all debts to the crown and given free to the Church of England, and in that freedom he was received by the Church with the customary hymns and words of praise." (Herbert of Bosham.)

On June 2nd, 1162, the Saturday after Whit Sunday, Thomas was ordained priest and on the following day consecrated bishop. (The new archbishop instituted the festival of Trinity Sunday to commemorate his consecration, and some 200 years later the festival was made of general observance in the Catholic Church.) The king realised the mistake he had made within a year of the consecration. The brilliant chancellor was no sooner archbishop than he turned from all the gaieties of the world, and while no less a statesman, adopted the life of his monks—though never himself a monk—at Canterbury. Henceforth Archbishop Thomas was the unflinching champion of the poor and them that had no helper, the resolute defender of the liberties of the Church against all who would make religion subject to the autocracy of the king of England.

Thomas was forty-four years old, in the full strength of his manhood, when he was made archbishop, and for eight years he did battle with the crown, only laying down his charge at the call of martyrdom.

The first disappointment to Henry was the resignation of the chancellor's seal.<sup>1</sup> It was clear to

<sup>1</sup> "The only instance which has occurred of the chancellorship being voluntarily resigned either by layman or ecclesiastic." — Campbell, *Lives of the Chancellors*.

Thomas that he could no longer serve the crown and do the work of a Christian bishop at the same time, and he had accepted with full sense of responsibility the see of Canterbury. There was no room for the egotism that loves power, the vaulting ambition that o'erleaps itself, or even the self-deception that persuades a man holding to high position at sacrifice of principle that his motive is disinterested, in St. Thomas of Canterbury. More than once England was to see in later years men who strove vainly to serve with equal respect the Christian religion and the royal will—the service always ended in the triumph of the latter. Thomas was far too clearly-sighted to imagine such joint service possible, and for him, elected and consecrated to the primacy of the English Church, there was no longer any choice. As chancellor, keeping his conscience clear, he had done the best he could for law and order as the king's right hand man. As Archbishop of Canterbury his duty, first and foremost, was to maintain the Christian religion and defend the cause of the poor and needy.

But to Henry the resignation of the chancellorship was an act of desertion, a declared challenge to the royal supremacy. Henry II. was no more the man than his grandfather Henry I. had been to brook anything that threatened resistance to the king's rule.

Courtiers who hated Thomas were always at hand to poison the ears of the king by defaming the archbishop, and this, says William FitzStephen, was the first cause of the trouble. Another cause was the hatred of the king for the clergy of England, hatred provoked by the notoriously disreputable lives of

more than one clerk in holy orders. The battle between Henry and Thomas began on this matter of criminous clerks.

William the Conqueror and Lanfranc recognizing that the Church, strong and well ordered, made for national well-being, had set up ecclesiastical courts wherein all matters affecting church law and discipline were to be dealt with by the clergy, to the end that the clergy should not be mixed up in law-suits and should be excluded from the lay courts. Henry II. was not satisfied that criminous clerks were adequately dealt with in these ecclesiastical courts, where no penalty involving bloodshed might be inflicted, and where the savage punishments of mutilation had no place. Thomas was as anxious as the king for the Church to be purged of abuses, but he was resolved not to hand over offenders to the secular arm. The archbishop was an ardent reformer. "He plucked up, pulled down, scattered and rooted out whatever he found amiss in the vineyard of the Lord," wrote a contemporary; but he would shelter his flock as far as he could by the canon law from the hideous cruelties of the King's Courts.<sup>1</sup> It was not for the protection of the clergy alone the archbishop was fighting in the councils summoned by the king at Westminster in 1163, and at Clarendon in 1164.

<sup>1</sup> "It must be held in mind that the archbishop had on his side the Church or *Canon Law*, which he had sworn to obey, and certainly the law courts erred as much on the side of harshness and cruelty as those of the Church on that of foolish pity towards evil-doers."—F. York Powell.

"We have to take ourselves back to a state of society in which a judicial trial was a tournament, and the ordeal an approved substitute for evidence, to realise what civilisation owes to the Canon Law and the canonists, with their elaborate system of written law, their judicial evidence, and their written procedure."—Rashdall, *Universities of Europe during the Middle Ages*.

" Ecclesiastical privileges were not so exclusively priestly privileges as we sometimes fancy. They sheltered not only ordained ministers, but all ecclesiastical officers of every kind ; the Church Courts also claimed jurisdiction in the causes of widows and orphans. In short, the privileges for which Thomas contended transferred a large part of the people, and that the most helpless part, from the bloody grasp of the King's Courts to the milder jurisdiction of the bishop." (Freeman, *Historical Essays*, First Series.)

Before the climax of the dispute between Henry and Thomas was reached at Clarendon, the archbishop had resisted the king in a matter of arbitrary taxation—"the earliest recorded instance of resistance to the royal will in a matter of taxation"<sup>1</sup>—and had fallen still further in the king's disfavour.

Henry was at Woodstock, on July 1st, 1163, with the archbishop and the great men of the land, and among other matters a question was raised concerning the payment of a two shillings land tax on every hide of land. This was an old tax dating from Saxon times, which William the Conqueror had increased. It was paid to the sheriffs, who in return undertook the defence of the county, and may be compared with the county rates of our own day. The king declared this tax should in future be collected for the crown, and added to the royal revenue ; and no one dared to question this decision until Archbishop Thomas arose and told the king to his face that the tax was not to be exacted as revenue, but was a voluntary offering to be paid to the sheriffs only "so long as they shall serve us

<sup>1</sup> W. H. Hutton.

fitly and maintain and defend our dependants." It was not a tax that could be enforced by law.

Henry, bursting with anger, swore, "By God's Eyes" it should be given as revenue, and encrolled as a king's tax.

The archbishop replied with quiet determination, "aware lest by his sufferance a custom should come in to the hurt of his successors," that, "by the reverence of those Eyes," by which the king had sworn, not one penny should be paid from his lands, or from the rights of the Church. The king was silenced, no answer was forthcoming to the objector, and the tax was paid as before to the sheriffs. But "the indignation of the king was not set at rest," and in October came the Council of Westminster.

The king at once demanded that criminous clerks should not only be punished in the Church Courts by the sentence of deprivation, but should further be handed over to the King's Courts for greater penalties, alleging that those who were not restrained from crime by the remembrance of their holy orders would care little for the loss of such orders.

The archbishop replied quietly that this proposed new discipline was contrary to the religious liberty of the land, and that he would never agree to it. The Church was the one sanctuary against the barbarities of the law, and Thomas to the end would maintain the security it offered. More important it seemed to him that clerical offenders should escape the king's justice, than that all petty felons who could claim the protection of the Church should be given over to mutilation by the king's officers. The bishops silently supported the primate in this matter, though

they told him plainly, "Better the liberties of the Church perish than that we perish ourselves. Much must be yielded to the malice of the times."

Thomas answered this pitiful plea by admitting the times were bad. "But," he added, "are we to heap sin upon sin? It is when the Church is in trouble, and not merely when the times are peaceful, that a bishop must cleave to the right. No greater merit was there to the bishops of old who gave their blood for the Church than there is now to those who die in defence of her liberties."

But the bishops were wavering, fearful of defying the king's will. And when Henry, defeated for the moment by the archbishop's stand, angrily called upon them to take an oath to observe in future "the royal customs" of the realm as settled by his grandfather, Henry I., they all agreed to do so, adding the clause "saving the rights of their order." The king objected, calling for the promise to be made "absolutely and without qualifications," until Thomas reminded him that the fealty the bishops swore to give the crown "in life and limb and earthly honour" was sworn "*salvo ordine suo*," and that the "earthly honour" promise, which included all the royal "customs" of Henry I., was not to be given by bishops in any other way.

It was now late at night, and the king broke up the council in anger, leaving the bishops to retire as they would.

Henry was resolved to abolish the Church Courts and destroy the protection they afforded. He would have all brought under the severity of his law, in spite of the archbishop. He knew the bishops were wavering and were fearful of the royal displeasure.

Thomas Becket, and Thomas Becket alone, was the obstruction to the king's schemes, and firm as Becket might stand, the king would break down his opposition.

The very day after Westminster the king demanded the resignation of all the fortresses and honours Thomas had held under the crown since he had been made chancellor, and these were surrendered at once.

Then Henry tried a personal appeal, and once more the two met together in a field near Northampton. Henry began by reminding Thomas of all he had done for him.

“Have I not raised you from a mean and lowly state to height of honour and dignity? How is it after so many benefits and so many proofs of my affection, which all have seen, you have forgotten these things, and are now not only ungrateful, but my opponent in everything?”

The archbishop answered: “Far be it from me, my lord. I am not forgetful of the favours which God has conferred upon me at your hands. Far be it from me to be so ungrateful as to resist your will in anything so long as it is in accord with God's will.” St. Thomas, enlarging on the necessity of obedience to God rather than to men, should the will of man clash with the will of God, the king at last interrupted him impatiently with the intimation that he did not want a sermon just then.

“Are you not my man, the son of one of my servants?”

“In truth,” the archbishop answered, “I am not sprung from a race of kings. Neither was blessed Peter, the prince of the apostles, to whom was committed the leadership of the Church.”

"And in truth Peter died for his Lord," said the king.

"I too will die for my Lord when the time comes," replied the archbishop.

"You trust too much to the ladder you have mounted by," said the king.

But the archbishop answered: "I trust in God, for cursed is the man that putteth his trust in man." Then the archbishop went on to remind Henry of the proofs he had given of his fidelity in the years when he was chancellor, and warned him that he would have done well to have taken counsel with his archbishop concerning spiritual things than with those who had kindled the flame of envy and vengeance against one who had done them no wrong.

The only reply the king gave was to urge that the Archbishop should drop the words "saving their order" in promising to obey the royal customs.

The archbishop refused to yield, and so they parted.<sup>1</sup>

At the close of the year the archbishop's difficulties had been increased by appeals on all sides to yield to the king. The bishops were for peace at any price, and the Pope, Alexander III., threatened by an anti-pope, and anxious for the good will of the king of England, sent an abbot to Thomas urging him to give way, on the ground that Henry only wanted a formal assent to the "customs" for the sake of his dignity, and had no intention of doing anything harmful to the Church.

Under these circumstances Thomas decided to yield. He went to the king at Woodstock and

<sup>1</sup> This conversation is reported by Roger of Pontigny, who ministered to St. Thomas when the latter was in exile at that place.

declared that the obnoxious phrase, "saving our order," should be omitted from the promise to observe the "customs."

Without delay the king ordered his justiciar, Richard of Lucy, and his clerk, Jocelin of Balliol, to draw up a list of the old "customs" and liberties of his grandfather Henry I., and on the 29th of January, 1164, a great council was held at Clarendon to ratify the agreement between the bishops and the king.

Sixteen constitutions or articles were drawn up, and Thomas, over-persuaded by the prayers of the bishops and the desire for peace, gave his promise unconditionally to observe them. But no sooner had he done so, and the articles were placed before him in black and white, than he repented.

The very first article declared that all disputes about Church patronage were to be tried in the King's Court, and was intolerable, because while the State held it was a question of the rights of property, the Church view was that the main point was the care of souls, a spiritual matter for churchmen, not lawyers, to decide.

The other articles which Thomas objected to, and which the pope subsequently refused to ratify, decreed: (1) That clerks were to be tried in the King's Courts for offences of common law. (2) That neither archbishops, bishops, nor beneficed clerks were to leave the kingdom without the king's license. (This, said St. Thomas, would stop all pilgrimages and attendance at councils at Rome, and turn England into a vast prison. "It was right enough to apply for the king's leave before the departure, but to bind one's-self by an oath not to go without it was against religion and was evil.") (3) That no member of the

king's household was to be excommunicated without the king's permission. (4) That no appeals should be taken beyond the archbishop's court, except to be brought before the king. (This was a definite attempt to prohibit appeals to Rome, and Thomas pointed out that the archbishop on receiving the pallium swore expressly not to hinder such appeals. The acceptance of this article left the king absolute master.)

The last article, declaring that serfs or sons of villeins were not to be ordained without the consent of the lord on whose land they were born, was not opposed by the pope, and the only contemporary objection seems to have been raised by Garnier, a French monk and a biographer of Thomas Becket.<sup>1</sup>

Thomas had promised obedience to these constitutions, but he would not put his seal to them. It seemed to him that it was not only the old "customs" that had been drawn up, but rather a new interpretation of these customs. The great Council of Clarendon was over. Thomas received a copy of the constitutions and rode off, and the king had to be content for the time with the promises delivered..

In abject remorse Thomas wrote to the pope confessing his assent to the Constitutions of Clarendon, and for forty days he abstained from celebrating the mass. The pope, still anxious to prevent any open rupture between the king and the archbishop, wrote in reply that "Almighty God watches not the deed, but considers rather the intention and judges the will," and that Thomas was absolved by apostolic

<sup>1</sup> Garnier was a poet, and he protests passionately against this law, maintaining that God has called us all to His service. Much more worth is the villein's son who is honourable than a nobleman's son who is false.

authority. All the same, Pope Alexander III., without in any way censuring Thomas, throughout the long struggle with Henry never stands up roundly for the archbishop.

Neither Henry nor Thomas could rest satisfied with Clarendon. The archbishop had compromised for the sake of peace, but his quick revulsion had provoked a keener hostility in the king. To Henry it seemed the time had come to drive Thomas out of public life by compelling him to resign the see of Canterbury. With Thomas out of the way Henry could carry out his plans for a strong central government, for bringing all under the pitiless arm of the law. Thomas was the one man in the kingdom who dared offer resistance, and if Thomas was no longer archbishop and some supple creature of the king was in his place, the royal power would be absolute, for there seemed no fear of any interference from Pope Alexander III.

There were plenty of the archbishop's enemies among the nobles at the court ready to fan the king's anger against Thomas, and by October, 1164, Henry was ready to crush the primate.

Another council was summoned to meet at Northampton, and now Archbishop Thomas was to learn the full significance of the Constitutions of Clarendon.

The first charge against Thomas was that he had refused justice to John, the Treasurer-Marshal, who had taken up some land under the see of Canterbury. John had taken his suit to the King's Court, and Thomas was further charged with contempt of the majesty of the crown for not putting in a personal appearance at this court. The king now

pressed for judgment against the archbishop for this contempt, and the council ordered that he should be condemned to the loss of all his moveable property, and 500 pounds of silver was accepted as an equivalent fine.

"It seemed to all that, considering the reverence due to the king and by the obligation of the oath of homage, which the archbishop had taken, and by the fealty to the king's earthly honour which he had sworn, he was in no way to be excused, because when summoned by the king he had neither come himself, nor pleaded infirmity, or the necessary work of his ecclesiastical office." (W. FitzStephen).

It was not easy to get the sentence pronounced against Thomas. Barons and bishops were willing enough to stand well with the king, and they agreed without contradiction to the fine. But the barons declined to act as judge on a spiritual peer, and insisted that one of the bishops must do this business. Henry, Bishop of Winchester, at last, on the king's order, pronounced the sentence.

Thomas protested. "If I were silent at such a sentence posterity would not be. This is a new form of sentence, no doubt in accordance with the new laws of Clarendon. Never has it been heard before in England that an Archbishop of Canterbury has been tried in the King's Court for such a cause. The dignity of the Church, the authority of his person, the fact that he is the spiritual father of the king and of all his subjects, require that he should be reverenced by all." For an archbishop to be judged by his suffragans was, he declared, for a father to be judged by his sons.

The bishops implored him to bow to the decree

of the council, and Thomas yielded, "not being willing that a mere matter of money should cause strife between the king and himself."

The next day, Friday, October 9th, the king pressed Thomas more fiercely, calling upon him to give account for large sums spent during his chancellorship, and for various revenues of vacant churches during that period. The total amount was 30,000 marks.

In vain the archbishop urged that this demand was totally unexpected ; that he had not been summoned to Northampton to render such an account ; and that the justiciar, Richard, had declared that he was free of all claims when he laid down the chancellorship. The king demanded sureties, "and from that day barons and knights kept away from the archbishop's house—for they understood the mind of the king."

All Saturday Thomas was in consultation with the bishops, most of whom expressed themselves strongly on the king's side. Henry of Winchester suggested the present of 2,000 marks to the king as a peace-offering, and this was done. But the king would not have it. Hilary, of Chichester, said, addressing the archbishop, "You ought to know the king better than we do, for you lived with him in close companionship and friendship when you were chancellor. Who is there who could be your surety for all this money ? The king has declared, so it is said, that he and you cannot both remain in England as king and archbishop. It would be much safer to resign everything and submit to his mercy. God forbid lest he arrest you over these moneys of the chancellorship, or lay hands on you."

One or two less craven urged the archbishop to stand firm, as his predecessors had done, in the face of persecution.

"Oh, that you were no longer archbishop and were only Thomas," said Hilary, putting the matter briefly.

All Sunday was spent in consultations. On Monday the archbishop was too ill to attend the council, but on Tuesday his mind was made up, and when he entered the council it was with the full dignity of an archbishop, carrying the cross of the archbishop in his hand.

The bishops were in despair. There were all sorts of rumours in the air. It was known the king was full of anger, and it was said that the archbishop's life was in danger. The bishops implored him to resign, or else to promise complete submission to the councils of Clarendon. They said he would certainly be tried and condemned for high treason for disobedience to the king, and asked him what was the use of being archbishop when he had the king's hatred.

Gilbert Foliot, Bishop of London, declared contemptuously of Thomas, when someone asked him why he did not carry the archbishop's cross for him, "He always was a fool, and always will be."

Thomas had now only one answer to the bishops. He forbad them to take any part in the proceedings against him, announced that he had appealed to "our Mother, the Church of Rome, refuge of all the oppressed," to prevent any of them taking part, and ordered them to excommunicate any who should dare lay secular hands upon the primate.

Then, holding his cross, the archbishop took his

usual place in the council-chamber, while the king sat in an inner room.

In the face of personal danger all the strength and courage of Thomas Becket were aroused. He had yielded at Clarendon for the sake of peace, and no good had come of it. He had submitted to be fined rather than be involved in a miserable dispute about money, and now he was threatened with demands for money which were beyond his resources. There was nothing to prevent the king piling up greater and greater sums against him, till hopeless ruin had been reached. He was powerless to withstand such an onslaught. To Rome, "the refuge of all the oppressed," would Thomas appeal, and then, if it seemed well to the pope, he would retire from Canterbury. But he would not surrender his post, however great the wrath of the king, unless it were for the welfare of the Christian Church.

In the council-chamber Thomas sat alone, with one or two clergy attending him, including Herbert of Bosham and William FitzStephen, while the bishops went in to the king's chamber. Among the nobles the cry was going up that the archbishop was a perjurer and a traitor, because, after signing at Clarendon, he now, in violation of those constitutions, forbade bishops to give judgment in a case that did not involve bloodshed, and had further made appeal to Rome.

Then the king sent to know whether the archbishop refused to be bound by the Constitutions of Clarendon, and whether he would find sureties to abide by the sentence of the court regarding the accounts of his chancellorship.

Thomas again pointed out that he had not been

called there to give an account of his chancellorship, that on his appointment to the archbishopric he had been declared by the king free of all secular claims, and that he had forbidden the bishops to take part in any judgment against him, and had appealed to Rome, "placing his person and the church of Canterbury under the protection of God and the pope."

At the end of this speech the barons returned in silence to the king, pondering the archbishop's words.

But hostile murmuring soon broke the silence, and Thomas could overhear the barons grumbling that, "King William, who conquered England, knew how to tame his clerks. He had put his own brother Odo in prison, and thrown Stigand, Archbishop of Canterbury, into a dungeon."

The bishops renewed their pitiful chorus. Thomas had placed them between the hammer and the anvil by his prohibition: of disobedience to Canterbury on the one hand, and of the king's anger on the other. They had given their word at Clarendon, and now they were being forced to go against the promises they had made. They, too, would appeal to Rome against his prohibition, "lest you injure us still more."

All that Thomas could say was that the Constitutions of Clarendon had been sent to the pope for confirmation, and had been returned, rather condemned than approved. "This example has been given for our learning, that we should do likewise, and be ready to receive what he receives at Rome, and reject what he rejects. If we fell at Clarendon, through weakness of the flesh, the more ought we

to take courage now, and in the might of the Holy Ghost contend against the old enemy of man."<sup>1</sup>

So bishops and nobles came and went between the king and the archbishop, and the day drew on. Henry allowed the bishops to stand apart from the judgment, and demanded sentence from the barons, and Earl Robert of Leicester advanced as the spokesman of the council to where the archbishop was sitting. The earl began to speak of the judgment of the court, when Thomas rose and refused to hear him.

"What is this you would do?" he cried. "Would you pass sentence on me? Neither law nor reason permit children to pass sentence on their father. You are nobles of the palace, and I am your spiritual father. I will not hear this sentence of the king, or any judgment of yours. For, under God, I will be judged by the pope alone, to whom before you all here I appeal, placing the church of Canterbury with all thereto belonging under God's protection and the protection of the pope." Then he turned to the bishops. "And you, my brethren, who have served man rather than God, I summon to the presence of the pope; and now, guarded by the authority of the Catholic Church and the Holy See, I go hence."

So he passed out of the hall, no one gainsaying his passage, though some plucked rushes from the floor and threw at him. There were shouts of anger, and again the cries of "traitor" and "perjurer" were raised. The archbishop turned on Earl Hamelin, the king's brother, and Randulf of Brok, who were calling "traitor," and said sternly: "If I

<sup>1</sup> W. FitzStephen.

were not a priest, my own arms should quickly prove your lie. And you, Randulf, look at home (his cousin had lately been hanged for felony) before you accuse the guiltless!"

His horses were at the gate, and a great crowd that were afraid lest the archbishop had been killed. St. Thomas mounted, and accompanied by Herbert of Bosham, rode back to the monastery of St. Andrew, where he had been lodging. The crowd thronged him and prayed for his blessing all the way until the monastery was reached, and then he would have the multitude come in to the refectory and dine with him. Of his own retinue of forty who had come with him to Northampton, scarce six remained ; and so the places of those who had thought it safer to desert their lord were filled by the hungry multitude. It was the archbishop's farewell banquet, and he, the constant champion of the poor, had those whom he loved for his guests that day.

At nightfall, after compline had been sung and the monks dispersed to their cells, the archbishop, with three other men in the dress of lay brothers, rode out from Northampton by the north gate, and at dawn were at Grantham. Three weeks later Thomas had reached Flanders, and the exile had begun which was only to end six years later when death was at hand.

It was useless to remain in England, hopeless as Thomas was of any support from the bishops. He could but appeal, as Anselm had appealed, to the one court that alone was recognised as owning a higher authority than that of the kings of this world, the court of Rome.

But Pope Alexander, still harassed by an anti-pope set up by the Emperor Frederick, could do as little for Thomas as his predecessor had done for Anselm, though he refused to allow him to resign the archbishopric. Unlike Anselm, Thomas vigorously carried on his contest with the king from the friendly shelter of King Louis of France, and Henry retaliated without hesitation, driving out of England all the friends and kinsmen of Thomas, to the number of four hundred, and threatening a like banishment to the Cistercian monks, because Thomas had taken refuge in their monastery at Pontigny.

The fear that the pope would allow the archbishop to pronounce an interdict against England, and a sentence of personal excommunication against its king, drove Henry in 1166 to appeal himself to the pope. "Thus by a strange fate it happened that the king, while striving for those 'ancient customs,' by which he endeavoured to prevent any right of appeal (to the pope), was doomed to confirm the right of appeal for his own safety." (John of Salisbury.)

Months and years passed in correspondence. More than once Henry and Thomas met at the court of Louis, but neither would yield. The pope, without blaming the archbishop, and without sanctioning any extreme step against Henry, did what he could to make peace between them.

At last, in the summer of 1170, the king really was disturbed by the fear of an interdict, for his last act against Archbishop Thomas had been to have his son crowned by the Archbishop of York, in defiance of all the rights and privileges of the see of Canterbury.

bury. Besides this, Louis was threatening war because his daughter, who was married to the young King Henry, had not been crowned with her husband. Henry hastened over to France and made friends with Thomas, and the reconciliation took place at Fréteral. The king solemnly promised that the archbishop should enjoy all the possessions and rights of which he had been deprived in his exile, and that his friends and kinsmen should all be allowed to return home. He even apologised for the coronation of his son. It seemed as if the old friendship had been revived. "We conversed together until the evening as familiarly as in the days of our ancient friendship. And it was agreed I should arrange my affairs and then make some stay with the king before embarking for England; that the world might know how thoroughly we are restored to his favour and intimacy. We are not afraid that the king will not fulfil his promises, unless he is misled by evil counsellors." So Thomas wrote to the pope in July, 1170. Yet there were many—including King Louis—who doubted the sincerity of the reconciliation, for Henry was not willing to give the kiss of peace to his archbishop.

On December 1st Thomas landed at Sandwich, and went at once to Canterbury. The townspeople and the poor of the land welcomed him with enthusiastic devotion. "Small and great, old and young, ran together, some throwing themselves in his way, others crying and exclaiming, 'Blessed is he that cometh in the name of the Lord.' In the same manner the clergy and their parishioners met him in procession, saluting their father and begging his blessing. . . . And when all things in the

cathedral was solemnly ended, the archbishop went to his palace, and so ended that joyful and solemn day." (Herbert of Bosham.)

But against the affection and goodwill of his own people at Canterbury, and a similar demonstration of rejoicing by multitudes of clergy and people in London, Thomas had to face the fact that the bishops generally hated his return, that the young Prince Henry, recently crowned, who had been his pupil, refused to see him and ordered his return to Canterbury, and that the nobles openly spoke of him as a traitor to the king. "This is a peace for us which is no peace, but rather war," said the archbishop bitterly.

The end was not far off. Thomas, as zealous for good discipline in the Church as Henry was for strong authority in the State, was no sooner returned than he was asked to withdraw the sentence of excommunication against the Archbishop of York and the Bishops of London and Salisbury. He promised to do this if the bishops on their part would promise to submit to the decision of the pope on the matter. London and Salisbury were moved to receive absolution on these terms, but Roger, of York, who had always been against Becket, dissuaded them, urging them to throw themselves on the protection of the king, and threatening Thomas "with marvellous and terrible things at the hands of the king" unless he relented. Naturally, these threats left the archbishop undisturbed, and Roger of York, with Gilbert Foliot of London and Jocelin of Salisbury, at once hastened over to France to lay their case before the king.

These bishops were not the only men who

troubled Thomas in these last days. Randulf de Broc, with others of his family, and certain knights, all known as strong "king's men," "sought every means to entangle him in a quarrel," and did not stop from robbing a ship belonging to the archbishop and from seizing a number of horses, and mutilating one of them. Thomas replied by excommunicating Randulf and Robert de Broc, the boldest of these offenders.

At Christmas more than one of the archbishop's followers warned him that his life was in danger, and Thomas seems to have realised that his position was hazardous. But he would not fly.

Already his murderers were at hand.

The excommunicated bishops had reached the king at Bur, near Bayeux, had told their story, and had coloured it with a fanciful description of Thomas making a circuit of England at the head of a large body of men.<sup>1</sup> Someone had said, "My lord, as long as Thomas lives, you will have neither peace nor quiet in your kingdom, nor will you ever see good days;" and at this Henry had burst out into a terrible rage of bitterness and passion, for such fits at times took possession of him. "Here is a man," he cried out, "who came to my court a sorry clerk, who owes all he has to me, and insults my kingdom and lifts his heel against me. And not one of the cowardly sluggish knaves, whom I feed and pay so well, but suffers this, nor has the heart to avenge me!"

The words were spoken, and four of the king's knights—Reginald FitzUrse, William of Tracy, Hugh of Morville, and Richard the Breton—hearing

<sup>1</sup> W. FitzStephen.

what was said, and that Roger of York had declared "as soon as Thomas is dead all this trouble will be ended, and not before," at once departed. They sailed from different ports and met together at Saltwood, the castle of the Brocs, on December 28th. The following day they rode on to Canterbury, taking with them twelve of Randulf's men and Hugh of Horsea, who was called the Evil Deacon.

The king, on finding the four knights had left the court, gave orders to have them stopped, but it was too late. They were then at Canterbury, and entering the hospitable doors of the palace had made direct for the archbishop's private chamber.

It was four o'clock. Dinner had been at three, and Thomas was sitting on his bed talking to John of Salisbury, Edward Grim, and a few other friends. When the knights entered, Thomas recognized Reginald, William, and Hugh, for they had served under him years before, and waited for them to speak.

Reginald FitzUrse was the spokesman. He declared they had come from the king, that Thomas must take an oath of fealty to the newly-crowned prince, and must absolve the excommunicated bishops. Thomas answered that the bishops might have been absolved on their willingness to obey the judgments of the Church, and that the king had sanctioned what had been done at their reconciliation.

Reginald denied there had been any reconciliation, and swore that Thomas was imputing treachery to the king in saying such a thing.

The archbishop pointed out that the reconciliation had taken place in public, and that Reginald himself had been present.

Reginald swore he had never been there, and had not heard of it. And at this the other knights broke in, swearing again and again, by God's wounds, that they had borne with him far too long already.

Then Thomas reminded them of the insults and losses he had endured, especially at the hands of the De Brocs, since his return.

Hugh of Morville answered him that he had his remedy in the King's Courts, and ought not to excommunicate men on his own authority.

"I shall wait for no man's leave to do justice on any that wrong the Church and will not give satisfaction," Thomas replied.

"What do you threaten us! Threats are too much!" cried Reginald FitzUrse.

Then the knights bit their gloves and angrily defied the archbishop.

Thomas told them that they could not intimidate him. "Once I went away like a timid priest; now I have returned, and I will never leave again. If I may do my office in peace, it is well: if I may not, God's will be done." Then he turned to remind them they had once sworn fealty to him when he was chancellor.

"We are the king's men," they shouted out, "and owe fealty to no one against the king!"

Bidding his servants keep the archbishop within the precincts on peril of their lives, the knights withdrew.

"It is easy to keep me," said Thomas, "for I shall not go away. I will not fly for the king or for any living man."

"Why did you not take counsel with us and give

milder answer to your enemies?" said John of Salisbury. "You are ready to die, but we are not. Think of our peril!"

"We must all die," the archbishop answered, "and the fear of death must not turn us from doing justice."

Word was quickly brought in that the knights were putting on their armour in the courtyard, and the monks, frightened at the sight of these men with drawn swords entering the orchard to the west of the cathedral, rushed to the archbishop and implored him to fly to the cathedral. Thomas smiled at their terror, saying, "All you monks are too cowardly, it seems to me." And not till vespers had begun would he leave for the minster. The knights broke into the cloisters after him, and reaching St. Benet's chapel began to hammer at the door, which for safety the monks had barred behind them.

Thomas at once ordered the door to be unbolted, saying, "God's house shall not be made a fortress on my account." He slipped back the iron bar himself, and the angry knights rushed in with cries of "Where is the traitor? Where is the archbishop?"

It was five o'clock and a dark winter's night. Had Thomas chosen, he could easily have escaped death by concealing himself in the crypt or in one of the many hiding places in the cathedral. But he felt his hour had come and met it without faltering. John of Salisbury and the rest of the monks and clerks vanished away and hid themselves, leaving only Edward Grim, Robert of Merton and William Fitz-Stephen with the archbishop. Soon only Grim was left, when the archbishop came out boldly, and standing by a great pillar near the altar of St. Bene-

dict, answered his accusers. "Here I am: no traitor, Reginald, but your archbishop."

They tried to drag him from the church, but he clung to the great pillar, with Edward Grim by his side. For the last time Reginald called on him to come out of the church. "I am ready to die, but let my people go, and do not hurt them," was the archbishop's answer. William Tracy seized hold of him, but Thomas hurled him back. Upon that FitzUrse shouted, "Strike! strike!" And Tracy cut savagely at the head of the archbishop. Grim sprang forward and the blow fell on his arm, and he fell back badly wounded.

Then Thomas commended his cause and that of the Church to St. Denis and the patron saints of the cathedral, and his soul to God, and without flinching bowed his head to his murderers. FitzUrse, Tracy and Richard the Breton struck the archbishop down, and Hugh the Evil Deacon mangled in brutal fashion the head of St. Thomas before calling out to the others: "Let us go now; he will never rise again!"

Then they all rushed from the church, and shouting, "King's knights! King's knights!" proceeded to plunder the palace. They fled north that night to the castle of Hugh of Morville at Knaresborough, where for a time they lived in close retirement. Tracy subsequently went on a pilgrimage to Rome and Palestine, but all four "within two years of the murder were living at court on familiar terms with the king."<sup>1</sup>

Henry and all his court were horrified when the news was brought of the archbishop's martyrdom,

<sup>1</sup> Dean Stanley.

for all the people proclaimed the murdered prelate a saint and a martyr, and "a martyr he clearly was, not merely to the privileges of the Church or to the rights of the see of Canterbury, but to the general cause of law and order as opposed to violence."<sup>1</sup> Had St. Thomas yielded in the matter of the excommunicated bishops, and sought favour with the king at the expense of the liberties and discipline of the Church, and had he given way to the savage, lawless turbulence of the king's knights, he would not only have escaped a violent death, but might have lived long in the sunshine of the royal pleasure. He chose the rougher, steeper road, daring all to save the Church and the mass of the English people from being brought under the iron heel of a king's absolute rule, and he paid the penalty, pouring out his blood on the stones of the minster at Canterbury to seal the vows he had taken when he first entered the city as archbishop.

In his dying St. Thomas was even stronger than in his life. Henry hastened to beg the forgiveness of Rome for his rash words that had provoked the murder, and in the presence of the pope's legates in Normandy promised to give up the Constitutions of Clarendon and to stand by the papacy against the emperor. Nor did he make any further attempt in his reign to bring the Church under the subjection of the crown, but built up a great system of legal administration, which in substance exists to-day.

St. Thomas was canonised four years after his death. "There was no shadow of doubt in men's minds that here was one who was a martyr as fully as any martyr of the catacombs and the Roman

<sup>1</sup> Freeman, *Historical Essays*. First series.

persecutions." (R. H. Benson, *St. Thomas of Canterbury*.) Countless miracles were alleged to prove the sanctity of the dead hero, and pilgrims from all parts made their way to the shrine of the "blessful martyr" at Canterbury. Not only in England, but in France and Flanders, and particularly in Ireland was there an outburst of devotion to St. Thomas.

The shrine at Canterbury was destroyed by Henry VIII., who after a mock trial of the archbishop slain more than 300 years earlier, declared that "Thomas, sometime Archbishop of Canterbury, had been guilty of contumacy, treason and rebellion," and "was no saint, but rather a rebel and traitor to his prince."

But though Thomas, canonised by the pope on the prayers of the people of England, could be struck out of the calendar of the Church of England by the arbitrary will of King Henry VIII., as an enemy of princes, and his shrine destroyed, it is beyond the power of a king to reverse the sentence of history or to blast for ever the fame of a great and courageous champion of the poor of this land. Time makes little of the insults of Henry VIII. Thomas of Canterbury died for the religion that in his day protected the people against the despotism of the crown. "He was always a hater of liars and slanderers and a kind friend to dumb beasts (hence his rage with De Broc for mutilating a horse) and all poor and helpless folk." (F. York Powell.)

That Henry II. strove to make law predominant in the spirit of a great statesman is as true as that Thomas strove to mitigate the harshness of the law. As a writer of the twelfth century put it: "Nothing is more certain than that both strove

earnestly to do the will of God, one for the sake of his realm, the other on behalf of his Church. But whether of the two was zealous in wisdom is not plain to man, who is so easily mistaken, but to the Lord, who will judge between them at the last day."

William FitzOsbert, called  
Longbeard  
The First English Agitator  
1196

AUTHORITIES: Roger of Hoveden; William of Newburgh; Gervase of Canterbury; Matthew Paris; Ralph Diceto; (Rolls Series); *Rotuli Curiæ Regis* (Sir F. Palgrave. Vol. I.).

# WILLIAM FITZOSBERT CALLED LONGBEARD, THE FIRST ENGLISH AGITATOR

1196

**W**HEN Richard I., on his accession, picked out Hubert Walter, Bishop of Salisbury, to be Archbishop of Canterbury, he chose a prelate whom he could rely upon as his representative. Hubert had been a crusader ; he was the nephew of Ralph Glanville—who sold the justiciarship to William Longchamp, Bishop of Ely, for £3,000, and followed Richard to Palestine, dying of the plague at Acre in 1191—and though a man of little learning he was a capital lawyer, a strong administrator and expert at raising money for the king.<sup>1</sup> Hubert was no champion of the poor as St. Thomas had been, no preacher of righteousness like St. Anselm, no stickler for the rights of the Church or the liberties of the people ; he was “the king’s man,” and “forasmuch as he was neither gifted with a knowledge of letters nor endued with the grace of lively religion, so in his days the Church of England was stifled under the yoke of bondage.” (Geraldus Cambrensis.)

<sup>1</sup> “ Hubert was very gracious in the eyes of all the host that lay before Acre, and in warlike things so magnificent that he was admired even by King Richard. He was in stature tall, in council prudent, and though not having the gift of eloquence, he was an able and shrewd wit. His mind was more on human than divine things, and he knew all the laws of the realm.”—Gervase.

Richard Cœur de Lion, occupied with the crusades, had no mind for the personal government of England. He depended on his ministers for money to pay for his military expeditions to Palestine. England was to him nothing more than a subject province to be bled by taxation. Both William Longchamp and Hubert Walter—to whom Richard committed the realm when he left England for good in 1194—did all that could be done to meet the king's demands. Government offices, earldoms and bishoprics were sold to the highest bidder.<sup>1</sup> Judges bought their seats on the bench and cities bought their charters. Crown lands already granted to tenants were again taken up by the king's authority, and the occupier compelled to pay for readmission to his holding. Tournaments were revived, because everyone taking part was obliged to take a royal license. Even the great seal was broken by the justiciar's authority, and all documents signed by it had to be reissued, with the payment of the usual fees (or stamp duties) for new contracts. "By these and similar inquisitions England was reduced to poverty from one sea to the other," for more than £1,000,000 was sent to Richard by Hubert in the first two years of his justiciarship.

The only protest against the general distress came from London, and not from the aldermen or burghers, but from the voteless labouring people upon whom the whole burden of raising the city's taxes had been thrown. Against this monstrous injustice William Longbeard FitzOsbert stood out

<sup>1</sup> It is notable that in our day only peerages and knighthoods are sold, and these by political leaders to their partisans. Government offices, the judicial bench and bishoprics are still fortunately not in the market, though frequently allotted for partisan reasons.

as the spokesman of the poor of London, and died a martyr for their cause.

London's political importance had been seen in the struggles against King Cnut and William the Conqueror. Its remarkable influence in national politics (an influence that endured to the middle of the nineteenth century) was manifest when London acclaimed Stephen as King of England in 1135. At the close of the twelfth century, London, with the civic charter it had just obtained from Richard, with its thirteen convent churches and more than a hundred parish churches within its boundaries, with its great cattle market at Smithfield and its growing riverside trade, was already prosperous and overcrowded. "The city was blessed with the healthiness of the air and the nature of its site, in the Christian religion, in the strength of its towers, the honour of its citizens and the purity of its women ; it was happy in its sports and fruitful of high spirited men." It had its darker side, but at that time "the only plagues were the intemperate drinking of foolish people and the frequent fires."

Richard's charter left to the citizens the business of assessing their own taxes, and in 1196 there was trouble over this matter ; for in that year the city fathers decided that the large sums required by Archbishop Hubert for the king's needs should be paid in full by the poorer craftsmen and labourers, who had no say in the matter.<sup>1</sup>

"And when the aldermen assembled according to usage in full hustings for the purpose of assessing the taxes, the rulers endeavoured to spare their own

<sup>1</sup> "Owing to the craft of the richer citizens the main part of the burden fell on the poor."—Matthew Paris.

purses and to levy the whole from the poor." (Roger of Hoveden.)

Whereupon up rose William Longbeard, the son of Osbert, and made his memorable protest against these rascally proceedings, to go down to history as the first popular agitator in England.

An exceptional man was this Longbeard, a man of commanding stature and great strength, ready witted, something of an orator and a lawyer, who "burning with zeal for righteousness and fair play made himself the champion of the poor," holding that every man, rich or poor, should pay his share of the city's burdens according to his means.

Longbeard was not of the labouring people himself. He was a member of the city council, though by no means a rich man. He had distinguished himself as a crusader in 1190, making the journey to Portugal against the Moors; and a vision of St. Thomas Becket had appeared to him and his fellow Londoners when their ship was beset by storms off the coast of Spain.

Longbeard was known to the king, and he was already hateful to the ruling class because he had declared that Richard was being defrauded by financial corruption of the money raised for the crown. He had also accused his brother of treason in 1194, but the case was not proved.

Richard was in Normandy in 1196, and Longbeard having banded together 15,000 men in London, under an oath that they would stick by him and each other, went to the king and laid their grievances before him. Richard heard the appeal sympathetically enough, for after all, as long as the money was forthcoming, he had no particular desire that the

pockets of rich burghers should be spared at the expense of the poor, but left matters in the hands of Archbishop Hubert the justiciar. Longbeard returned to London, and with his 15,000<sup>1</sup> workmen in revolt, bid an open defiance to the justiciar.

Only a fragment of one of Longbeard's speeches has been preserved, a solitary specimen of popular oratory in the twelfth century.<sup>2</sup>

Taking a passage from the prophet Isaiah for his text: "Therefore with joy shall ye draw water from the wells of the Saviour" (Isaiah xii, 3), the agitator delivers his message.

"I am," he saith, "the saviour of the poor. You the poor, who have endured the hard hands of the rich, draw ye from my wells the waters of sound doctrine, and this with joy, for the time of your visitation is at hand. For I will divide the waters from the waters, and the People are the waters. I will divide the humble and faithful from such as are proud and froward. I will divide the just from the unjust, even as light from darkness."

For a time Longbeard was too strong for the justiciar. Archbishop Hubert had no force at his disposal for the invasion of London, for a battle with Longbeard and his league.

At a great gathering of citizens, held in St. Paul's Churchyard, the justiciar's men sent to arrest Longbeard had been driven out of the city with violence. All that Hubert could do was to give orders for the arrest of any lesser citizens found outside London, and two small traders from the city actually were taken into custody at the town of Stamford on Mid-Lent Sunday, 1196, under this authority.

<sup>1</sup> Some writers say 50,000.

<sup>2</sup> William of Newburgh.

But the aldermen grew more and more frightened at Longbeard's bold speeches and his big public meetings, and weakness and cowardice began to demoralise the league. The people, who had risen for "liberty and freedom," fell away from their leader, and FitzOsbert was left with a comparatively small band to face the anger of the justiciar.

Backed up by the city fathers, Hubert's officers again attempted to seize the agitator. Longbeard, hardly pressed, snatched an axe from one of his assailants—a citizen named Godfrey—and slew him ; and then retreated, overwhelmed by numbers, to take refuge in the church of St. Mary-le-Bow in Cheapside. There was a right of sanctuary in this church, a right not to be denied to the commonest felon.

But what were rights of sanctuary to the justiciar —bent on hunting his prey to the death? He commanded Longbeard "to come out and abide by the law," and gave orders to his men that, failing instant obedience, he was to be dragg'd out.

Longbeard's answer was to climb up into the church tower, and thereupon Hubert ordered the tower to be set on fire, and this was done. And now the only chance of life for William Longbeard and his followers was to cut their way through the host of their enemies and make a bold rush for safety. It was a remote chance at the best, but sooner that than to perish in the burning tower.

At the very church door Longbeard was struck down—some say by Godfrey's son—and his little company were quickly slain or taken prisoners.

Loaded with chains, the once bold advocate of the poor of London, now badly hurt, was at once haled off to the Tower. Sentence was pronounced without delay of the law, William, the son of Osbert, was to be dragged to the elms at Tyburn and there hanged in chains.

A few days later—it was just before Easter—the wounded man was stripped naked, tried to the tail of a horse and dragged over the rough stones of the streets of London. He was dead before Tyburn was reached, but the poor broken body, on whom the full vengeance of the rich and mighty had been wreaked, was strung up in chains beneath the gallows elm all the same. Bravely had Longbeard withstood the rulers of the land in the day of his strength; now, when life had passed from him, his body was swinging in common contempt. And with him were nine of his followers hanged.

So died William, called Longbeard, son of Osbert, "for asserting the truth and maintaining the cause of the poor." And since it is held that to be faithful to such a cause makes a man a martyr, people thought he deserved to be ranked with the martyrs. For a time multitudes—the very folk who had fallen away from their champion in the hour of battle and need—flocked to pay reverence to the ghastly, bloodstained corpse that hung at Tyburn, and pieces of the gibbet and of the bloodstained earth beneath were carried off and counted as sacred reliques. All the great, heroic qualities of the man were recalled. He was accounted a saint. Miracles were alleged to take place when his reliques were touched.

Then the dead man's enemies were aroused, an

alleged death-bed confession was published, wherein Longbeard was made out to be a sorry criminal. Not the least of the offences laid to his charge was that a woman, who was not his wife, had stood faithfully by the rebel, even when the church was on fire.

The times were rough. It is probable that Longbeard, crusader and fighting man, had sins enough to confess before death took him. But his traducers were silent as to these sins in the man's lifetime. They waited until no answer could be given before uttering their miserable libels against the one courageous champion of the poor.

Longbeard had roused the common working people to make a stand against obvious oppression and injustice—there was the head and front of his offending, there was his crime; earning for him not only a felon's death, but the loss of character, and the branding for all time with the contemptuous title "Demagogue."

Yet in the slow building up of English liberties William FitzOsbert played his part, and laid down his life in the age-long struggle for freedom, as many a better has done.

In 1198, two years after the death of Longbeard, Hubert was compelled to resign the justiciarship. His monks at Canterbury, to whom the Church of St. Mary, in Cheapside, belonged, and who had no love for their archbishop,<sup>1</sup> indignant at the violation of sanctuary and the burning of their church, appealed to the king and to the pope, Innocent III.

<sup>1</sup> "Hubert, Archbishop of Canterbury, was a shrewd financier, and an honourable, conscientious statesman; but as a prelate he is noted chiefly for his quarrels with his chapter." — W. H. Hutton, *Social England*.

to make Hubert give up his political activities and confine himself to the work of an archbishop. In the same year a great council of the nation, led by St. Hugh of Lincoln, flatly refused a royal demand for money made by Hubert.

Innocent III. was against him, the great barons were against him, and Hubert resigned. But he held the archbishopric till 1205.



# Stephen Langton and the Great Charter

1207—1228

AUTHORITIES: Roger of Wendover and Matthew Paris; Walter of Coventry; Ralph of Coggeshall (Rolls Series); *Letters of Innocent III.*; Rymer's *Fœdera*; K. Norgate—*John Lackland*; Stubbs—*Select Charters*; Mark Pattison—*Stephen Langton* (Lives of the English Saints); C. E. Maurice—*Stephen Langton*.

# STEPHEN LANGTON AND THE GREAT CHARTER

1207-1228

**W**HEN Hubert Walter, Archbishop of Canterbury — the old Justiciar of Richard I.—ended his long life of public service on July 12th, A.D. 1205, King John exclaimed, with frank satisfaction, “Now for the first time I am King of England!” As long as Hubert was alive there was one man strong enough to restrain the king, and the primate and William the Marshall together had done something to guard England against the foulest and most ruthless tyranny of all its kings. To the end William the Marshall was a brave and patriotic statesman, but he served the crown rather than the people.

On Hubert’s death John meant to have for archbishop a creature of his will, and he was defeated by Pope Innocent III., who, dismissing the appeal of the monks of Canterbury for Reginald, their sub-prior, and John’s appeal for his nominee, John de Gray, Bishop of Norwich, proposed the English-born Cardinal, Stephen Langton, “than whom there was no man greater in the Roman court, nor was there any equal to him in character and in learning.” The monks consented to Stephen’s appointment, but John’s reply was a flat refusal, and when

on June 7th, 1207, Pope Innocent proceeded to consecrate Stephen Langton Archbishop of Canterbury, the king's rage broke out. Innocent's wise judgment gave England one of its noblest and greatest archbishops, and the service wrought by Langton for the liberties of England's people was of deep and lasting value. But the immediate price to be paid for later profit was heavy.

John met Langton's consecration by seizing the estates of Canterbury, driving the chapter into exile, and proclaiming that anyone who acknowledged Stephen as archbishop should be accounted a public enemy. The remonstrances and warnings of the pope were disregarded, and in March, 1208, all England was laid under an interdict, and there was an end to the public ministrations of religion in the country for six years—to the bitter distress of the common people.

Immediately the interdict came into force, John declared all the property of the clergy, secular or monastic, to be confiscated, and there was no one to stay his hand from speedy spoliation. For the barons were willing enough to see the clergy robbed and the king's treasury filled at the expense of the Church, and of the bishops only two were left in England—Peter des Roches, of Winchester, and John de Gray, of Norwich—and both these were willing tools of the king. Never did John enjoy his royal will and pleasure with such unhindered ferocity as in that year 1209. Had the barons stood by the Church they might have saved England unspeakable miseries, and as it was the laity were soon in as sorry a plight as the clergy, "and it seemed as though the king was courting the hatred of every

class of his subjects, so burdensome was he to both rich and poor."<sup>1</sup>

In 1211 came Pandulf from Pope Innocent with suggestions for peace. Let the king restore the property of the clergy, and receive Archbishop Langton, with his kinsmen and friends, and the other exiled bishops "fairly and in peace" and the interdict should be withdrawn. John declined to receive Langton as archbishop, and Pandulf, in the presence of the whole council, pronounced the papal sentence of excommunication on the king, absolving all his subjects from allegiance, and commanding their obedience to whomsoever should be sent as John's successor.

John treated the excommunication with cheerful contempt, and pursued the evil tenour of his way. But his position was precarious, for the barons—especially the northern barons—were plotting his overthrow, and the pope had decided that Philip of France should depose John and reign in his stead. John was driven to capitulate to the pope at the end of 1212, and in May, 1213, Pandulf arrived, and the invasion by Philip was stopped, to the exceeding annoyance of the French king.

John met the papal legate at Ewell, near Dover, and in the presence of "the great men of the realm," swore to carry out all Innocent's demands, promising that Stephen should be received and recompense paid to the clergy for their losses. Then the King of England formally surrendered "to God and to the Holy Mother Church of Rome, and to Pope Innocent and his Catholic successors," the whole realm of England and Ireland, "with all

<sup>1</sup> Matthew Paris.

rights thereunto appertaining, to receive them back and hold them thenceforth as a feudatory of God and the Roman Church." He swore fealty to the pope for both realms, and added that he would send a yearly tribute of 1,000 marks. At the same time John declared that the act of homage was voluntary, done, "not at the driving of force nor the compulsion of fear, but of our own good free will and by the common counsel of our barons."

There is no evidence that the pope asked for this abject submission, but there are good reasons why John desired that political protection of the papacy which he obtained by the act of homage.<sup>1</sup> (Matthew Paris has a story that John was willing to pay homage and tribute to the Mohammedan Emir of Morocco in order to effect an alliance with some foreign power.)

The barons themselves appealed to the pope two years later to take their part against John, on the

<sup>1</sup> "If he was to give up all for which he had been fighting, and fighting successfully, against the pope and the Church for the past six years, he must make quite sure of gaining such an advantage as would be worth the sacrifice. Mere release from excommunication and interdict was certainly, in his eyes, not worth any sacrifice at all. To change the pope from an enemy into a political friend was worth it, but—from John's point of view—only if the friendship could be made something much more close and indissoluble than the ordinary official relation between the pope and every Christian sovereign. He must bind the pope to his personal interest by some special tie of such a nature that the interest of the papacy itself would prevent Innocent from casting it off or breaking it. . . . To outward personal humiliation of any kind John was absolutely indifferent, when there was any advantage to be gained by undergoing it. To any humiliation which the crown or the nation might suffer in his person, he was indifferent under all circumstances. His plighted faith he had never had a moment's hesitation in breaking, whether it were sworn to his father, his brother, his allies or his people, and he would break it with equal facility when sworn to the supreme pontiff. . . . There seems, in short, to be good reason for believing that John's homage to the pope was offered without any pressure from Rome and on grounds of deliberate policy."—K. Norgate, *John Lackland*.

ground that it was only by their compulsion the king had been brought to pay homage to Rome, and though they were then to curse the papal overlordship they had helped procure, and England was to come to regard John's surrender to the pope as "a thing to be detested for all time," in that year 1213 the protection of the pope was invaluable to John and, as some thought, to the country. "For matters were in such a strait, and so great was the fear on all sides, that there was no more ready way of avoiding the imminent peril—perhaps no other way at all. For when once he had put himself under apostolical protection and made his realms a part of the patrimony of St. Peter, there was not in the Roman world a sovereign who durst attack him or would invade his lands, in such awe was Pope Innocent held above all his predecessors for many years past." (Walter of Coventry.)

The long war being at an end Stephen Langton and four of the exiled bishops landed in June, and Stephen was now to do the work of archbishop, the work he had been solemnly consecrated to six years before.

John met the primate at Winchester, and swore on the gospels in the cathedral "that he would cherish, defend and maintain the holy Church and her ordained ministers; that he would restore the good laws of his forefathers, especially St. Edward's, rendering to all men their rights; and that before the next Easter he would make full restitution of all property which had been taken away in connection with the interdict." Then Stephen formally absolved the king from excommunication and gave him the kiss of peace, to the general rejoicing.

And now England was to see what sort of archbishop it was Pope Innocent had sent to Canterbury. With a king as cruel as he was vigorous, and as astute as he was unscrupulous, with barons who knew neither loyalty nor patriotism, Archbishop Stephen, out of such materials, was to win for his native land the Great Charter, and to have it written in black and white that all who would might read the several duties of king and people. In August Langton, in St. Paul's Cathedral, read to the barons the old coronation charter of Henry I., and reminded them that the liberties promised in that document were to be recovered. "With very great joy the barons swore they would fight for these liberties, even unto death if it were needful, and the archbishop promised that he would help with all his might." Thus within three months of his setting foot in England Langton had started the movement for the Great Charter.

But not with king and barons only had the archbishop to deal. There were endless difficulties with the clergy concerning the restitution of their property, and the payment of compensation to be settled. And above all there was Nicholas, the papal legate, in England, usurping the primate's functions, filling up vacant bishoprics and churches, regardless of the rights of the Church and of the archbishop. Nicholas was recalled to Rome when the interdict was finally removed, and in November, 1214, John made a public proclamation that free and undisturbed election to all the churches in his realm should be allowed henceforth. This was an attempt on the king's part to have the Church on his side against the barons, for the battle was

beginning between John and the barons which was to be fought to a bitter end.

John's last campaign to recover the lost Angevine provinces for the English crown ended in disaster, and he returned to England in 1214 to face the full discontent of the barons whom he had harassed and insulted from the day he came to the throne, and of a country suffering from "the evil customs which the king's father and brother had raised up for the oppression of the Church and realm, together with the abuses which the king himself had added thereto."

The national grievances were enormous and intolerable. The whole administration of justice was corrupt, and no one could be sure how the arbitrary decisions of the king's officers would be carried out. Liberty of the person was a farce when free men could be arrested, evicted from their lands, exiled and outlawed without legal warrant or a fair trial. "In a word, the entire system of government and administration set up under the Norman kings, and developed under Henry and Richard, had been converted by the ingenuity of John into a most subtle and effective engine of royal extortion, oppression and tyranny over all classes of the nation, from earl to villein."<sup>1</sup>

Here and there the barons had struck against some act of personal injury, and the northern barons had been conspicuous in their resentment, refusing to follow John as their liege lord in his expeditions to France. But there was neither cohesion nor any sense of national injury amongst the barons until Stephen Langton, with a full sense of the responsibility

<sup>1</sup> K. Norgate, *John Lackland*.

laid on the successor of Lanfranc and Anselm, of Theobald and Thomas, took the lead, and by strong, courageous effort sought to end for all time in England such tyranny as the country had endured under John's rule. To Langton this was no mere struggle between a despotic king and a set of turbulent nobles. It was a struggle to win recognition of law for *all* men, and to restore some measure of justice and the enjoyment of fair liberty throughout the land. The people had neither spokesman nor champion, and no man heeded their wrongs save Langton. More than 150 years were to pass before John Ball and Wat Tyler would appear at the head of a peasant army in revolt. In the reign of John, yeomen, peasant and artizan were dumb. It was Langton who saw that the barons fighting for their own rights could be made to fight for all England.

In November the barons came together at St. Edmundsbury, and in the abbey church "they swore on the high altar that if the king sought to evade their demand for the laws and liberties of the charter of King Henry I., they would make war upon him and withdraw from fealty to him till he should by a charter furnished with his seal confirm to them all that they demanded. They also agreed that after Christmas they would go all together to the king and ask him for a confirmation of these liberties, and that meanwhile they would so provide themselves with horses and arms that if the king should seek to break his oath, they might, by seizing his castles, compel him to make satisfaction. And when these things were done every man returned to his own home." (Roger of Wendover.)

John kept Christmas at Worcester, but his court

was very small, and he realised that he stood alone. All through the years of the interdict the pope's ban had not kept the nobles from attendance on the king ; it was now when he stood reconciled to the Church that John found himself deserted. He moved to London at the new year, and there on the Epiphany came the confederate barons, making display of arms, and praying that the laws and liberties of Edward the Confessor written in the charter of Henry I. might be confirmed. John urged that the question was too big and too difficult to be settled off hand, and asked that it should be put off till Easter. This was agreed to on condition that the king pledged himself by three sureties to fulfil his promises. Archbishop Stephen, William the Marshall and the Bishop of Ely were accepted as sureties, and in accepting the post Langton proved his great statesmanship. There was no question of going over to the king's side. The barons knew the archbishop as their chief ally, but John knew that Langton was to be trusted as implicitly as he trusted William the Marshall. Langton's one desire was to see the written enactment granting constitutional liberties, and ending the worst of the royal abuses.

John did not waste the time allotted to him, but worked his hardest to gain friends and supporters against the barons, and to break up the confederacy. It was all to no purpose. His commissioners to the County Courts—in the southern and midland shires, sent to explain the king's cause—met with no success. Nobles and churchmen alike stood aloof, and all John could do was to write to the knights at Poitou to send him mercenaries, and to appeal to

his liege lord, the pope, against his rebellious subjects. Finally, he took the cross, hoping for the favours awarded to a crusader. These efforts were all of no avail. The mercenaries were inadequate. The pope's letters of rebuke to the barons for their conspiracies and conjurations were unheeded, and at Easter, John (whom the pope had warned to harken to "just petitions") was driven to send the primate and the Marshall for a definite statement of the laws and liberties demanded.

The barons, who were assembled at Brackley, presented "a certain schedule," probably compiled with Langton's assistance, and this was read to the king by the primate. "They might as well ask for my kingdom at once," was John's reply to the various items, and he swore he would never grant liberties that would mean his own enslavement. Both Langton and the Marshall strove to persuade the king to yield, but to no purpose; and all that remained was to return to the barons and to state that the king refused their demands. Then the barons, on hearing this, flew to arms, formally renounced their homage and fealty to the king, and chose a military leader for themselves—Robert Fitz-Walter. London welcomed the insurgents on May 24th, and John, with a handful of mercenaries, had the whole baronage against him. Capitulation was inevitable. From Windsor John sent envoys to the barons in London, promising, for the sake of peace and for the welfare and honour of his realm, to concede the laws and liberties demanded, and advising the appointment of time and place for a meeting for "the settlement of all these things." The barons at once fixed the meeting for June 15th,

in a meadow called Runnymead, between Staines and Windsor, and there, in the presence of well-nigh all the baronage of England, of Archbishop Stephen, and seven bishops, and "a multitude of most illustrious knights," the Great Charter was signed. It was the work of Langton.<sup>1</sup> It was he who had inspired the movement, had framed the articles, and had brought the struggle to a successful issue.

"One copy of the Great Charter still remains in the British Museum, injured by age and fire, but with the royal seal still hanging from the brown, shrivelled parchment. It is impossible to gaze without reverence on the earliest monument of English freedom which we can see with our own eyes and touch with our own hands, the Great Charter to which from age to age patriots have looked back as the basis of English liberty." (J. R. Green.)

Yet the Charter itself was in the main but the old charter of Henry I. writ large. It set up no new rights and conferred no new privileges. It sanctioned no constitutional changes, and proclaimed no new liberties. Its real importance is in the fact that it was a *written* document—"this great table of laws, won by the people of England from a tyrannous king, was the first great act which laid down in black and white the main points of the constitution and the several rights and duties of king and people." (F. York Powell.)

"The bonds of unwritten custom, which the older grants did little more than recognize, had proved too

<sup>1</sup> "By the intervention of the Archbishop of Canterbury, with several of his bishops and some barons, a sort of peace (*quasi pax*) was made between the king and the barons."—Ralph of Coggeshall.

weak to hold Angevins ; and the baronage now threw them aside for the restraints of written law. It is in this way that the Great Charter marks the transition from the age of traditional rights, preserved in the nation's memory and officially declared by the primate, to the age of written legislation, of parliaments and statutes, which was soon to come." (J. R. Green.)

The first article of the Charter guaranteed the freedom of the English Church, and, in especial, the freedom of elections, "which was reputed most requisite."

By the Great Charter the feudal rights of the king over his vassals were defined and settled, and the tenants of the barons were protected in similar way from the lawless exactions of their lords.

No scutage or aid was to be levied by the crown, "save by the common council of the realm"—except the three customary feudal aids for the ransoming of the king, the knighting of his eldest son, and the marriage of his eldest daughter. This common council, consisting of bishops, abbots, earls, and greater barons, was to be summoned by special writ. The free rights of London and the other chartered towns were fully admitted.

The Court of Common Pleas (cases between subjects) was to sit at Westminster (and not to follow the king in his wanderings), and judges of assize were to go on circuit four times a year.

No free man was to be seized, imprisoned, ousted of his land, outlawed, banished, or in any way brought to ruin, save by the legal judgment of his peers or by the law of the land.

To no man was justice to be sold, denied, or postponed by the king.

The free right of Englishmen and foreigners to pass in and out of the country in time of peace was granted.

The king's mercenaries, "all the gang that came with horses and arms to the hurt of the realm," were to be sent out of England.

Finally, by a supplementary document, the barons present at Runnymead were to choose out of the whole baronage twenty-five sworn guardians of the Charter, who, in the event of any violation of its articles, were not to hesitate from making war on the king till the matter had been put right.

Well might John exclaim, in a wild burst of rage, when the Charter was signed, and he was alone with his foreign troops, "They have given me five-and-twenty over-kings!"

The twenty-five were to ensure the king's obedience to the Charter, but who was to ensure the obedience of the twenty-five?—all of whom were of the party of revolt against the king. A safeguard was obviously necessary, and a second court of barons, thirty-eight in number, was chosen—(which included William the Marshall)—and these first swore obedience to the twenty-five, and then a second oath to enforce on king and barons mutual respect.<sup>1</sup>

The Great Charter was signed, and within a week it was published throughout all England. But the "sort of peace" patched up between John and the barons was not to last. None of the barons believed that the king would abide by the oaths he

<sup>1</sup> Matthew Paris, *Greater Chronicle*, quoted by K. Norgate.

had sworn, and they, for their part, prepared for war.<sup>1</sup>

To the Continent John looked for aid, "seeking to be revenged upon his enemies by two swords, the sword of the spirit and the sword of the flesh, so that if one failed he could count upon the other for success." He had appealed to the pope in May, and Innocent's reply had been a general condemnation of all disturbers of the peace. Pandulf, the papal legate, was at Runnymead, and in August, when the barons were openly making ready for hostilities, he and Peter des Roches, of Winchester, called on Stephen Langton to enforce the papal sentence of excommunication against certain of the barons. Langton, who was about to set out to Rome for a general council, declined to do this until he had seen the pope and discussed the whole question with him. He believed the sentence had been drawn up by the pope under a misunderstanding. Thereupon Pandulf and Peter des Roches, by virtue of their authority, declared Stephen disobedient to the papal mandate, and pronounced his suspension from his office of archbishop.

Langton made no protest against the sentence but went to Rome, and was present at the general council in November. His chiefest work for England was done when the Charter was signed at Runnymead. With the king and the barons at civil war, the country ravaged by John's foreign bands of merciless savages, and the barons praying Louis, the son of Philip of France, to take the English crown,

<sup>1</sup> "The Charter was a treaty between two powers neither of which trusted, or even pretended to trust, the other."—Stubbs, *Constitutional History*. Vol. II.

what could Archbishop Stephen accomplish? Pope Innocent had declared the Charter annulled on the ground that both king and barons had made the pope the over-lord of England, and that in consequence nothing in the government and constitution of the country could be altered without his knowledge and sanction. But as the legate, the primate, and the bishops had all left for Rome, the pope's disallowing of the Charter never got published in England at all, though it was known that he had sent letters.

The sentence of suspension was removed from Langton in February, 1216. A few months later the great pope, Innocent III., passed away, and in October John was dead.

In 1217 Stephen Langton was back again at Canterbury, to remain for eleven more years the primate of England. With William the Marshall and Hubert de Burgh, Stephen worked for the preservation of public peace during those early years of Henry III. We find him in 1223 demanding a fresh confirmation of the Charter in the council at Oxford, and two years later its solemn proclamation is required by the archbishop and the barons as the price of a new subsidy. Equally resolute is Archbishop Stephen for public order, threatening with all the pains and penalties of excommunication the barons, who (in spite of Hubert de Burgh's letters from the pope declaring Henry to be of age) were anxious to keep the royal castles in their own hands. "At a time when constitutional freedom was hardly known, when insurrection seemed the only possible means of checking despotism, he (Langton) organized and established a movement for freedom

which by every act and word of his life he showed to be in opposition to mere anarchy." (C. E. Maurice.)

Stephen Langton was never canonized, though application was made to Rome to that end shortly after his death in 1228. His learning had made him famous in Paris before Pope Innocent summoned him to Rome to become cardinal priest of St. Chrysogonus. His wise statesmanship was proved by the victory he won for England's liberties over so energetic and ruthless a despot as John, and with such material as the barons. His strength of character and disinterested patriotism were impaired by no taint of baseness or self seeking. If Stephen Langton is not numbered with the saints, he ranks high in the great list of England's primates, serving religion as faithfully as he served justice and social order, and his name is resplendent for all time in the charters of English liberty.

# Bishop Grosseteste, the Reformer

1235-1253

AUTHORITIES: *Letters of Robert Grosseteste*, edited by Luard; *Monumenta Franciscana*; *Letters of Adam of March and Eccleston on the coming of the Friars*, edited by Brewer; *Annales Monastici*—Burton and Dunstable; Matthew Paris (Rolls' Series); Samuel Pegge—*Life of Robert Grosseteste*, 1793; F. S. Stevenson, M.P. — *Robert Grosseteste, Bishop of Lincoln*; M. M. C. Calthrop—*Victoria County History—Lincolnshire*; Gasquet—*Henry III. and the Church*.

# BISHOP GROSSETESTE THE REFORMER

1235-1253

**T**HE story of Robert Grosseteste's bishophood is the record of eighteen years' unflinching battle with abuses in Church and State. From his enthronement as Bishop of Lincoln in 1235 till his death in 1253 Grosseteste is conspicuous as a reformer. Now it is the slackness of the clergy he is combatting, enforcing discipline on men and women who, vowed to religion, preferred an easier way of life. At another time he is maintaining the laws and liberties of the nation against Henry III., who with all his piety knew neither honesty nor truth in his sovereignty. Right on till the last year of his life Grosseteste is as vigorous in resisting papal encroachments on the English Church as he is in dealing with his clergy or with the king. As a reformer his work is threefold :—(1) The correction of current abuses in the Church. (2) Maintenance of justice under the misrule of Henry III. (3) Resistance to the aggressive claims of the papacy. With all this work, fighting enemies of England at home and abroad, Grosseteste is busy administering his enormous diocese of Lincoln—then the largest in the country, including as it did the counties of Lincoln, Leicester, Buckingham, Huntingdon, Northampton, Oxford and Bedford (Oxford and

Peterborough were afterwards carved out of Lincoln)—and is found writing to and advising all manner of men, kings, nobles and peasants.

Here is the character of Bishop Grosseteste as his contemporary, Matthew Paris, saw it, and Matthew was a monk, and the champion of the monks, and hated Grosseteste's stern interference with monastic life :—

“ He was an open confuter of both pope and king, the corrector of monks, the director of priests, the instructor of clerks, the support of scholars, a preacher to the people, a persecutor of the incontinent, the tireless student of the Scriptures, the hammer and despiser of the Romans. At the table of bodily refreshment he was hospitable, eloquent, courteous, pleasant and affable. At the spiritual table devout, tearful and contrite. In his episcopal office he was sedulous, venerable and indefatigable.”

Six hundred years later the whirligig of time leaves this verdict of old Matthew Paris unreversed, and finds Grosseteste's reputation enhanced.

“ There is scarcely a character in English history whose fame has been more constant, both during and after his life, than Robert Grosseteste, Bishop of Lincoln from 1235 to 1253. As we find his advice sought universally during his lifetime, and his example spoken of as that which almost all the other prelates of his day followed, so was it also after his death. If threats from Rome and excommunications from Canterbury fell harmlessly upon him while alive, his example nerved others in subsequent years—as in the case of Sewal, Archbishop of York—to bear even worse attacks without giving way. And probably no one has had a greater

influence upon English thought and English literature for the two centuries which followed his time; few books will be found that do not contain some quotations from *Lincolniensis*, 'the great clerk, Grosseteste.'<sup>1</sup>

A Suffolk man was Grosseteste, and born of humble parents. Sent to Oxford by his friends he becomes master of the schools and chancellor of the university—the foremost scholar of his day—receives various ecclesiastical preferments, and at the age of sixty is freely elected by the chapter of Lincoln as their bishop. If the canons of Lincoln believed that Grosseteste's age would ensure comparative quiet for the diocese and a continuance of the loose order of his immediate predecessors, they were speedily undeceived.

Grosseteste brought into Lincoln an energy for religion that disturbed the easy-going monks, with their comfortable common-room life, and altogether upset the secular clergy with their illegal marriages and their parochial revellings. In the first year of his authority Grosseteste's letter to his archdeacons, followed by his diocesan constitutions, shows the hand of the reformer. He calls attention to the neglect of the canonical hours of prayer—certain clergy "fearing not God nor regarding man, either do not say the canonical hours or say them in mutilated fashion, and that without any sign of devotion, or at an hour more suitable to their own desires than convenient to their parishioners"—to the private marriages of many priests, to the strife and bloodshed and desecration caused by the miracle plays in churchyards, and to the drunkenness and

<sup>1</sup> Luard. Preface to *Grosseteste's Letters*. Rolls' Series. 1861.

gluttony attendant on funeral feasts. Grosseteste also complains that the parochial clergy oppose the preaching friars, "maliciously hindering the people from hearing the sermons of the friars, and permitting those to preach who make a trade of it, and who only preach such things as may draw money." Incidentally, and with a curiously modern touch, Grosseteste urges his archdeacons to warn mothers and nurses against overlaying their children at night, for it seems many infants were suffocated in this way.

Grosseteste relied on the friars, Franciscan and Dominican, to revive religion in his diocese. From their first coming to England he had befriended the little brothers of St. Francis and St. Dominic's order of preachers, and at Oxford had been conspicuously their rector. He writes to Pope Gregory IX. in the highest praise of the Franciscans: "Inestimable benefits have been wrought in my diocese by the friars. They enlighten our whole land with the bright light of their preaching and learning."

The secular clergy and the monks generally by no means shared Grosseteste's appreciation of the preachers of poverty, and when the Bishop of Lincoln began to rout up the monasteries in his diocese with visitations and enquiries the dismay was considerable. The Benedictine monks in England were good, easy men in the thirteenth century—Grosseteste finds no grave faults against morality to rebuke in them—fond of their pleasant social life, and enjoying the comfort of an existence that had few temporal cares beyond finding money for pope and king. At the worst their sloth was culpable. Grosseteste charged upon them with his preaching

friars, calling for amendment and the fulfilment of duties, attacking old abuses sanctioned by custom, and showing no tolerant sympathy for the infirmities and shortcomings of middle-aged clerks.<sup>1</sup> Respect him they must, for the learning and high character of the bishop were conspicuous in the land, but the dislike of all this strenuous exhortation was not concealed. The very chapter of Lincoln, which had elected him bishop, refused to admit Grosseteste as their visitor, or to acknowledge his jurisdiction over their proceedings, and only after six years of controversy and litigation was the case finally decided at Rome (1245) wholly in the bishop's favour. A sentence of excommunication pronounced upon him by the monks at Canterbury during the vacancy of the see was of course entirely ignored by Grosseteste. If the clergy resented Grosseteste's call to arms, it is to be remembered that they had suffered considerably from the tyranny of the times, and had been reduced under the general oppression to a feeble and sluggish timidity. The old "Song of the Church"<sup>2</sup> tells how low they had fallen :

<sup>1</sup> A well-known passage in Matthew Paris, vol. v, gives the monk's point of view of Grosseteste, the reformer :—"At this time the Bishop of Lincoln made a visitation of the religious houses in the diocese. If one were to tell all the acts of tyranny he committed therein, the bishop would seem not merely unfeeling but inhuman in his severity. For amongst other things when he came to Ramsey he went round the whole place, examined each one of the monks' beds in the dormitory, scrutinized everything, and if he found anything locked up destroyed it. He broke open the monks' coffers as a thief would, and if he found any cups wrought with decoration and with feet to stand on he broke them to pieces, though it would have been wiser to have demanded them unbroken for the poor. He also heaped the terrible curses of Moses on the heads of those who disobeyed his injunctions and the blessings of Moses on those who should observe the same. . . . . And it is believed all this he hath done to restrain from sin those over whom he hath authority, and for whose souls he must give account." This was written in 1251, when Grosseteste had been sixteen years at Lincoln.

<sup>2</sup> Wright, *Political Songs*. Camden Society, 1839.

Free and held in high esteem the clergy used to be,  
None were better cherished : or loved more heartily.

Slaves are they now : despised, brought low,  
Betrayed (as all deplore)

By those from whom : their help should come :  
I can no more.

King and pope alike in this : to one purpose hold,  
How to make the clergy yield their silver and their gold.  
Truth to say : the pope gives way,

Far too much to the king  
Our tithes he grants : for the crown's wants  
To his liking.

To check the rapacity of the king, and to stop the seizure of Church revenues for Italian clerics, and thereby to raise the English clergy from their state of sluggish despondency was Grosseteste's work for England. We find him conspicuous at the council summoned by the king to meet at Westminster in 1244. In vain Henry III. appealed for money, bishops and nobles reminded him that the money so frequently granted had done no good either to the king or the country, and that a justiciar and chancellor must be appointed for the strengthening of the state. Henry demurred, tried postponements and delays, and these failing, summoned the bishops alone, and confronted them with a letter from Pope Innocent IV. exhorting them to give liberally to the king. Even this failed to move the prelates. After much discussion, however, some were for "a mild answer," for many of the prelates "fearing the king's instability and the pusillanimity of the royal counsellors," were unwilling to deny the pope's request. Grosseteste clinched the matter by declaring they must all stand together with the

barons :<sup>1</sup> "We may not be divided from the common counsel. For it is written if we be divided we shall all perish forthwith." The next day Henry tried to get at each of the bishops separately—an old device. "But they with wary heed would not be so entrapped, and by departing early in the morning escaped the net in which they had once been caught ; and so the council broke up to the king's discontent." (Matthew Paris.)

Again in 1252 Henry summoned the bishops, and tried to coerce them into giving him money by producing a papal mandate, authorising the payment of a full tithe of all Church revenues to the king for the space of three years. To make matters worse, "payment was not to be made on the old assessment, but on a new assessment conducted with strict inquiry, at the will and judgment of the royal agents and extortioners, who would seek their own profit before the king's." The excuse was that the king was about to start on a pilgrimage. Grosseteste was then an old man, but he blazed out at this monstrous demand, especially when the king's messengers went on to explain that the tithe for two years might be paid at once, and that the third

<sup>1</sup> Grosseteste had been unable to get his way with the barons on the question of legitimacy of children before legal wedlock. By the old church law marriage made such children legitimate, and at the council of Merton, in 1236, Grosseteste, with the bishops, tried to bring the common law into union with the church view on this matter. He was defeated, and to this day these children are illegitimate. "It would indeed have been better if the independence exhibited by the majority who opposed the prelates at Merton had been reserved for another occasion ; for it cannot be deemed that the perpetuation of a law contrary to that which prevails on the subject in almost every European country, and which still differentiates Scotland from England by a broad, though unintelligible line of demarcation, has been open to grave objection on grounds of public convenience, apart from any inherent merits or demerits it may possess." — F. S. Stevenson, *Robert Grosseteste*.

year's tithe could also be raised before the king actually started. "By our Lady," said the sturdy bishop of Lincoln, "what does all this mean? You assume that we shall agree to this damnable levy, and go on arguing from premises that have not been admitted. God forbid that we should thus bend our knee to Baal."

The king's half-brother, Ethelmar, bishop-elect of Winchester, deprecated resistance to the will of pope and king, and urged that the French had consented to pay a similar demand. "Yes," said the Bishop of Ely, "and it brought their king no good." "For the very reason the French have yielded must we resist," replied Grosseteste. "To do a thing twice makes it a custom, and if we pay too, we shall have no peace. For my own part, I say plainly that I will not pay this evil demand, lest the king himself as well as us should incur the heavy wrath of God." The other bishops followed Grosseteste's lead, and the old man went on to advise them to pray the king to think of his eternal salvation, and to restrain his rash impulses. Henry naturally declined to send an independent remonstrance to the pope against the mandate, and the bishops decided they could do nothing in the way of granting this special tithe. But they were hard put to it, "between the pulling of the king and the pushing of the pope."

All Grosseteste's dealings with the king show the same firm resolution to stop the royal extortion, and to insist on the fulfilment of the charters of liberties obtained from the crown. He carries on the work of Stephen Langton, always backing up the unsuccessful efforts of the good St. Edmund Rich (Archbishop of Canterbury, 1234-1240) to keep

Henry faithful to his word, and prepares the way for the great campaign of his friend Simon of Montfort.<sup>1</sup> The very worst period of Henry's long reign is covered by Grosseteste's episcopal life. Hubert de Burgh's wise rule was over by 1232, and Peter des Roches and the horde of aliens were fleecing the country for the next twenty years. It is not till after Grosseteste's death that the barons dealt with Henry's misrule to any purpose.

At the great council held in London in 1248, at which Grosseteste was present, a full list of the national grievances is given: the lavish waste of the wealth of the country on foreigners, the ruin of trade by the arbitrary seizure of goods by the king and his agents, the robbery of poor fishermen by royal authority, "so that they think it safer to trust themselves to the stormy waves and seek a further shore," and the keeping bishoprics and abbeys vacant so that the crown may enjoy the revenues therefrom, are the chief causes of complaint. They were not new grievances, for the most part, and they

<sup>1</sup> "Grosseteste, then, may be regarded in a threefold aspect; first, as a reformer who sought to reform the Church from within and not from without, by the removal of existing abuses, by the encouragement he gave to the great religious revival of the early part of the 13th century, and by the example of unflinching fearlessness and rectitude which he set in his performance of the episcopal office; secondly, as the teacher who guided the rising fortunes of the University of Oxford; and thirdly, as the statesman who, applying to new conditions the policy associated with the name of Stephen Langton, endeavoured to combine into one effort the struggle of the clergy for the liberties of the Church with the struggle of the laity for the liberties of the nation, imbued Simon de Montfort with principles of 'truth and justice' which went far beyond the mere maintenance of the privileges of his own order, and at the same time, by his effort to reconcile him with his sovereign, and by the whole tenour of his actions, showed that had he lived a few years longer, his influence would have been directed to the task of achieving by peaceful means the constitutional advance brought about by those who, taking the sword, perished by the sword." — Stevenson, *Robert Grosseteste, Bishop of Lincoln.*

were not to die with Henry III., all charters and royal promises notwithstanding.

Added to the common wrongs of Henry's wretched misrule were the papal extortions, directly encouraged by the king. In return for papal mandates directing churchmen to supply the king with money, what could Henry—himself the most devoted servant of the papacy—do but help the pope to get what he could out of England? The wealth of England was held to be of fabulous amount at Rome, and popes beset by fierce ungodly emperors naturally turned to it in their need as to a treasury.

But the thing was intolerable to Grosseteste. He had studied in Paris, he welcomed Dominican and Franciscan friars from the continent as no other prelate did, and had no objection to foreigners *per se*. But the pope claimed the revenues of church livings for boys and presented illiterates to benefices—to the obvious degradation of the Church in England. Grosseteste was always willing enough to raise what money he could for the holy see, but appoint unworthy and incompetent clerks to livings in his diocese, that he would not do—not for any pope.

The country groaned under the biting avarice of the Roman see, as it bled under the vampire politics of Peter des Roches and his needy, greedy crew of Bretons and Poitevins.

What it all meant to England Matthew Paris has told us in his description of things in 1237:

"Now was simony practised without shame and usurers on various pleas openly extorted money from the common people and lesser folk; charity expired, the liberty of the Church withered away, religion was trampled to the dust. Daily did illiterate

persons of the lowest class, armed with bulls from Rome, burst forth into threats ; and, in spite of the privileges handed down to us from good men of old, they feared not to plunder the revenues consecrated by our holy forefathers for the service of religion, the support of the poor, and the nourishment of strangers, but thundering out their excommunications they quickly and violently carried off what they demanded. And if those who were wronged and robbed sought refuge by appealing or pleading their privileges, they were at once suspended and excommunicated by a papal writ. Thus mourning and lamentation were heard on all sides, and many exclaimed with heart-rending sobs, ‘ It were better to die than to behold the sufferings of our country and its saints. Woe to England, once the chief of provinces, the mistress of nations, the mirror of the Church, the exemplar of religion, and now brought under tribute,—trampled on by worthless men, and the prey of men of low degree.’ ”

The arrival of Otho, in 1237, a papal legate (on the request of Henry), far from remedying, increased the contemporary distress. For though Otho was a discreet man, he was more eager to get money for Rome than to deal with the oppression that plagued England, and when he did give advice it was spurned by those who saw his grasping hands. Archbishop Edmund was particularly vexed at having a papal legate set over him, and what with one disappointment and another finally gave up in despair the task of guiding the English Church, and in 1240 went to die at Pontigny, where his predecessors Anselm and Thomas had lived in exile.

Grosseteste stuck to his post, and the Franciscans

and Dominicans, whom he aided, poured in oil and wine on the wounds of the Church folk, and revived religion in the country.

Grosseteste fought the extortionate papal demands for Church revenues all the time. In 1239, with his fellow bishops, he tells Otho plainly that the Church is drained dry by the grasping importunity of Rome. Otho left in 1241, and that same year saw Boniface of Savoy, a handsome, soldierly man appointed to Canterbury as St. Edmund's successor. The following year came a new extortioner from Rome, named Martin, an altogether inferior person to Otho, but with all the legate's powers of suspension and excommunication. His confiscations and rapacity provoked a remonstrance to the pope even from Henry. Martin at last, in 1245, had to fly for his life from England, and when Grosseteste subsequently had a calculation made of the English Church revenues enjoyed by foreigners, it was found that the incomes of foreign clerks appointed by Pope Innocent IV. amounted to more than 70,000 marks—more than treble the king's income. And all this was done in spite of refusals by Grosseteste to appoint illiterates or allow boys to hold benefices.

The barons sided with the Church against Martin, and drew up a long protest which they sent to the pope at the council of Lyons in 1245. In this they complained:—That the pope, not content with Peter's Pence, which had been paid cheerfully from old times, wrung money from the Church against the law of the realm, without the king's permission; and that the pope wrongfully put ignorant, covetous, or absentee Italians into English livings notwithstanding his own promises, the rights of patrons,

and the privileges of the English clergy. A year later the protest was repeated with another item objecting to the pope's claim to recall former charters.

Innocent IV.'s answer to this was to threaten to dethrone Henry as he had dethroned his brother-in-law, the Emperor Frederick. The king weakly said no more, the barons, without a leader, were equally silent, and the Church continued "to sate the greed of Rome."

But in Grosseteste there was no spirit of surrender. In 1253, the very last year of his life, he was called upon by the pope to provide a nephew of his with a canonry at Lincoln, and the bishop's letter of refusal is, perhaps, the only well remembered thing of all Grosseteste's writings. This letter was not, as commonly stated, sent to the pope but to his representative who was also named Innocent.<sup>1</sup> "The pope has power to build up," wrote Grosseteste, "but not to pull down. These appointments tend to destruction, not edification, being of man's device and not according to the words of the Apostles or the will of Christ. By my very love and obedience to the Holy See I must refuse obedience in things altogether opposed to the sanctity of the Apostolic See and contrary to Catholic unity. As a son and a servant I decline to obey, and this refusal must not be taken as rebellion, for it is done in reverence to divine commands."

(This letter is quoted by Matthew Paris and in the *Burton Annals*. It can be read in full in the *Epistles*, No. 128.)

When the pope heard of this answer he talked

<sup>1</sup> See recent article on "Grosseteste" in *Catholic Encyclopædia*.

angrily of "the old madman" who dared to sit in judgment on him, and blustered about the king of England being his vassal. The cardinals, however, said frankly that Grosseteste had spoken the truth, and that he was far too good a man to be condemned. "He is Catholic," they declared, "and of deepest holiness. More religious, and more saintly than we are, and of better life. They say that among all the bishops there is no one his equal, still less his superior. All the clergy of France and England know this. Besides, he is considered a great philosopher, thoroughly learned in Latin and Greek; and he is zealous for justice, and a man who deals in theology, a preacher to the people, a lover of chastity, and a persecutor of those who practise simony." So they extolled him. And it is to the everlasting credit of the cardinals of the Roman See in that year 1253 that they could discern the sincerity and the great qualities of the brave old bishop who defied the pope's unrighteous commands. There was no question at Rome of any disloyalty on Grosseteste's part to the Holy See, no suggestion of any failing as a good Catholic.<sup>1</sup> And Pope

<sup>1</sup> Yet out of this letter and out of his great knowledge and love of the Scriptures a notion has been current that Grosseteste was a forerunner of Protestantism, and "a harbinger of the Reformation." "If this implies that he had any tendency towards the doctrinal changes brought about in the Church at the Reformation, or that he evidenced any idea of a separation of the Church of England from that of Rome, a more utterly mistaken statement has never been made."—Luard, Preface to *Grosseteste's Letters*. (Rolls Series.)

As for Grosseteste's Scriptural knowledge, "The thorough familiarity with the Old Testament is, perhaps, only what we might expect; but the use which is made of the actions of all the characters of Scripture, and the forced and sometimes outrageous way in which they are introduced to illustrate his argument, show how thoroughly 'biblical' the age was, and how completely the Old Testament history was regarded rather as the guide of men's conduct in Christian times, than as a mere historical record of past events."—*Ibid.*

Innocent IV. wisely let the matter drop, when the cardinals assured him it would never do to interfere with Grosseteste.

Before he died Grosseteste made a last appeal "to the nobles of England, the citizens of London and the community of the whole realm" on behalf of the Rights of the English Church, making a careful list of the ills to be redressed. He also solemnly charged his friend Simon of Montfort, never, as he valued his immortal soul, to forsake the cause of the English people, but to stand up even to the death, if needs be, for a true and just government, and with prophetic foresight spoke of the heavier troubles coming on the land.

On October 9th, 1253, the long life and the magnificent battling with odds were over, and the great bishop passed away. He was buried in Lincoln Cathedral, and in 1307, King Edward I. and the dean and chapter of St. Paul's made application for his canonization, but without success. Fifty years later and Edward III.'s Statutes of Provisors, 1351, and Praemunire, 1353, by their prohibition of papal bulls and of the appointment of papal nominees to English benefices, may be accepted as the real acknowledgment of Grosseteste's political work.

"I confidently assert (wrote Matthew Paris) that his virtues pleased God more than his failings displeased Him."



Simon of Montfort and the  
English Parliament

1258-1265

AUTHORITIES: Matthew Paris; William of Rishanger; Thomas of Wykes; Adam of Marsh—*Monumenta Frascescana, Burton Annals, Annales Monastici*; Robert of Gloucester—*Royal Letters of Henry III.* (Rolls Series); *Political Songs* (Camden Society, 1839); *Chronicle of Melrose*; Stubbs—*Constitutional History*, vol. ii; and *Select Charters*; W. H. Blaauw—*The Barons' War*; Dr. Pauli—*Simon of Montfort* (translated by Una M. Goodwin); G. W. Prothero—*Simon of Montfort*; Dr. Shirley in *Quarterly Review*, cxix. 57.

# SIMON OF MONTFORT AND THE ENGLISH PARLIAMENT 1258-1265

“ **I**N the year of our Lord 1238, which was the twenty-second of his reign, King Henry held his court in London at Westminster, and there on the day after Epiphany, which was a Thursday, Simon de Montfort solemnly espoused Eleanor, daughter of King John, sister of Henry III., and widow of William Marshall, Earl of Pembroke. The king himself gave away the bride to the said Simon, Earl of Leicester, who received her gratefully by reason of his disinterested love for her, her own beauty, the rich honours that were attached to her, and the distinguished and royal descent of the lady, for she was the legitimate daughter of a king and queen, and furthermore was sister of a king, of an empress (the wife of Frederic II.), and of a queen (Joan, wife of Alexander II. of Scotland). Our lord the pope, too, gave him a dispensation to marry this noble lady.”

Thus Matthew Paris, when Earl Simon, then a man about thirty-seven, and “tall and handsome,” enjoyed the royal favour and stood godfather to the infant Prince Edward. Simon had only done homage as Earl of Leicester in 1232; his boyhood was passed in France, and his father was the great soldier who led the French crusade against the Albigenses. Earl Richard of Cornwall, Henry’s

brother—soon to become King of the Romans—objected to the marriage, regarding it as one more victory for the foreigners whom Henry nourished at the expense of England. But Simon was no real alien. His grandmother had been sister and heiress of the Earl of Leicester, and Simon's French training no more made him a stranger in England than did Stephen Langton's years of study in Paris and Rome unfit him for the primacy of the English Church.

Henry's favour was short-lived. Earl Simon made friends with Earl Richard and left for the crusades, disgusted with the king's want of honesty. So much wisdom did he show in Palestine, and so great was his prowess, that Simon might have stayed in the east as regent for the young King of Jerusalem. But he had work to do in England, and came home with Richard in 1242.

Here against all the disorder of misrule and the royal and papal extortions Simon laboured with his friend Bishop Grosseteste, and he is conspicuous at the Parliament of Westminster in 1244, and in drawing up the great protest to the pope a year later.

Then for five years (1248-53) Simon was in Gascony contending with a body of nobles whom neither Henry II. nor Richard I. had been able to make good subjects, and whose only object in making formal acknowledgment of Henry III. was to escape the rule of Louis of France. Henry gave Simon neither men nor money, and lent a willing ear to all the complaints of Simon's enemies in Gascony and in England.<sup>1</sup> At his own expense the

<sup>1</sup> "The king acted as if he had sent him abroad simply to ruin his fortunes and wreck his reputation."—Stubbs.

Earl of Leicester saved Gascony for the English crown, and brought peace and law and trade to that province. Henry's return was to make Simon answer trumped-up charges of robbery, cruelty and treason brought by Gascons in 1252. The charges were not proved, although Henry sent his own commissioner to Gascony to make enquiry. Earl Richard and other nobles who knew the country were convinced of Simon's justice, and Simon, who was in England trying to raise supplies, turned sharply on the king, reminding him of unfulfilled promises. "Keep thy agreement with me," he went on, "or pay me the money I have spent in thy service; for it is well known I have impoverished my earldom beyond recovery for the honour of the king." "There is no shame in breaking my word to a traitor," the king answered angrily. At this Simon in open wrath declared the king a liar, only saved by the shelter of royalty from the penalty of his speech. "Call thyself a Christian?" said the earl. "Dost thou ever confess thy sins?" "Yes," said the king, "I do." "Thy confession is useless without repentance and atonement," said the earl. The king, more angry than ever, retorted, "I repent of one thing, and that is that I made thee an earl in England, to wax fat and kick against me. Get thee to Gascony, thou who lovest strife, and take thy fill there and meet thy father's fate." "I go willingly, my lord," came the answer. "And, ungrateful as thou art, I will not return till I have made these rebels thy subjects and thy enemies thy footstool."

Simon returned to Gascony, and though Henry again undermined his authority, he kept his word, only giving up his command when the work was done.

Adam of Marsh, a Franciscan friar, the friend and correspondent of Grosseteste, often writes to Simon in those days, encouraging and advising him. "Better is patience in a man than force," says Adam, "and better he who rules his own passions than he who storms a city." He prays this strong upright soldier-statesman to find comfort in the frequent reading of the Holy Scriptures, "breaking through as far as you can the cares and distractions of storm and trouble," and recommends the 29th, 30th and 31st chapters of the book of Job, "together with the delightful commentaries of St. Gregory."

Once more back in England, the time soon came when Simon was the recognised leader of the barons in their struggle with the king. And this leadership gave England its first representative parliament.

Henry was in greater financial difficulties than ever in 1257. The mad scheme of accepting the crown of Sicily for his second son Edmund from the pope, on condition that the cost of driving out Manfred, the Emperor Frederick's son, undertaken by the pope, was to be paid for by England, had been adopted by Henry in spite of the opposition of bishops and nobles. Henry pledged his kingdom with the pope as security for the expenditure in Sicily,<sup>1</sup> and at last in the parliament of 1257 had to confess his indebtedness. Fourteen thousand marks were owing to Pope Alexander, and this wretched debt, in addition to the general contempt for law and justice by the king's judges, sheriffs and foreign favourites, drove matters to a climax. The wet summer of 1257, followed by a failure at harvest, brought famine in the winter.

<sup>1</sup> Matthew Paris.

The barons insisted that the time had come for constitutional amendment. "The king's mistakes call for special treatment," said Richard, Earl of Gloucester, at a parliament early in 1258, and Simon, closely related to the royal house as he was, agreed. The swarm of royal parasites from Poitou raised objections to any interference with Henry's prerogative, but were swept aside. "If the king can't do without us in war he must listen to us in peace. And what sort of peace is this when the king is led astray by bad counsellors and the land is filled with foreign tyrants who grind down native-born Englishmen?" So the barons argued.<sup>1</sup>

To Henry's threat, "I will send reapers and reap your fields for you," Hugh Bigod of Norfolk had retorted briskly, "And I will send you back the heads of your reapers."

Parliament met again in June that year at Oxford—the "Mad Parliament" it was called—and the

<sup>1</sup> Rishanger, the chronicler for St. Albans, puts the case for the national party:—

"The king that tries without advice to seek his people's weal  
Must often fail, he cannot know the wants and woes they feel.  
The Parliament must tell the king how he may serve them best,  
And he must see their wants fulfilled and injuries redressed.  
A king should seek his people's good and not his own sweet will,  
Nor think himself a slave because men hold him back from ill."

For they that keep the king from sin serve him the best of all,  
Making him free that else would be to sin a wretched thrall.  
True king is he, and truly free, who rules himself aright,  
And chooses freely what he knows will ease his people's plight.  
Think not it is the king's goodwill that makes the law to be,  
For law is steadfast, and a king has no stability.  
No! law stands high above the king, for law is that true light  
Without whose ray the king would stray and wander from the right.  
When a king strays he ought to be called back into the way  
By those he rules, who lawfully his will may disobey  
Until he seeks the path, but when his wandering is o'er,  
They ought to help and succour him and love him as before."

(Translated by F. York Powell.)

barons came fully armed, for civil war seemed imminent. But the barons led by Richard of Gloucester and Earl Simon carried all before them and the war was postponed for five years.

The work of this parliament, well known as the Provisions of Oxford, was one more attempt to get the Great Charter honestly observed. Under this constitution :—

The king was to have a standing council of fifteen, by whose advice he was to act, and to whom the justiciar, chancellor and treasurer were to be accountable.

Parliament was to meet three times a year—February, June and October. Four knights were to be chosen by the king's lesser freehold tenant-knights in each county.

To save expense twelve commissioners were to be chosen to represent the baronage—"and the commonalty shall hold as established that which these twelve shall do."<sup>1</sup> The fifteen counsellors consisted of six of the king's party, and nine of the barons—the most conspicuous of the latter were Simon of Montfort, Richard of Gloucester, and Bishop Cantilupe, of Worcester.

Then the oath was taken, "that neither for life nor death, for hatred or love, or for any cause whatever, would they be bent or weakened in their

<sup>1</sup> "The new form of government bears evidence of its origin; it is intended rather to fetter the king than to extend or develop the action of the community at large. The baronial council clearly regards itself as competent to act on behalf of all the estates of the realm, and the expedient of reducing the national deliberations to three sessions of select committees, betrays a desire to abridge the frequent and somewhat irksome duty of attendance in parliament rather than to share the central legislative and deliberative power with the whole body of the people. It must however be remembered that the scheme makes a very indistinct claim to the character of a final arrangement."—Stubbs.

purpose to regain praiseworthy laws, and to cleanse the kingdom from foreigners."

Henry and Prince Edward, his eldest son, took the oath willingly enough—though the latter soon began "to draw back from it so far as he could." The king's half-brothers and the rest of the aliens not only refused the oath, but swore that as long as they had breath they would never surrender their castles, revenues, or wardships.<sup>1</sup> Simon, who on the ground of his foreign birth had at once yielded his castles of Kenilworth and Odiham, without recompense, turned to William de Valence—who was blustering more than the rest—and said sharply, "To a certainty you shall either surrender your castles or lose your head." The barons made it plain that they were in agreement with this, and then were the Poitevins afraid, not knowing what to do; "for if they hid themselves in their castles they would be starved out; for all the people would besiege them and utterly destroy their castles." The aliens fled to the continent, and the new constitution was proclaimed in every county—in Latin, French, and English.<sup>2</sup>

Twenty years had passed since Henry had blessed Simon's marriage with his sister Eleanor, and Simon had stood godfather to Prince Edward, and now after the Parliament at Oxford, meeting the Earl of Leicester in the Bishop of Durham's palace on the Thames bank, the king cannot conceal his fear of

<sup>1</sup> A board of twenty-four—half chosen by the king and half by the barons—had laid a body of resolutions before the Oxford Parliament, and the first of these resolutions declared that all castles and estates alienated from the crown should be at once resumed.

<sup>2</sup> "The first time, as far as we know, English was used in any public document."—Blaauw, *The Barons' War*.

the one man who held up the good cause—"like a pillar that cannot be moved." The king had taken refuge from a thunderstorm, and to Simon's assurance that the storm was passing, and was no longer to be feared, answered grimly, "I fear thunder and lightning a good deal, Lord Simon, but by the Head of God, I fear you more than all the thunder and lightning in the world."

"Everyone suspected that these astounding words broke from the king because the Earl of Leicester manfully and boldly persevered in carrying out the provisions, compelling the king and all the enemies of these provisions to assent to them, and utterly banishing his brothers, who were corrupting the whole kingdom." (Matthew Paris.)

Manfully as the great earl might strive, he could not accomplish the carrying out of the Provisions of Oxford. Henry was quickly at his old work, obtaining from Rome a dispensation from his old promises on the ground they had been obtained by compulsion, and bringing back his foreign supporters. The barons neither held together nor made any serious effort to promote good government.

Richard of Gloucester, jealous of Simon, fell away from the national cause before his death in 1262.<sup>1</sup>

<sup>1</sup> "End, O Earl of Gloster, what thou hast begun !

Save thou end it fitly, we are all undone.

Play the man, we pray thee, as thou hast promised,

Cherish steadfastly the cause of which thou wast the head.

He that takes the Lord's work up, and lays it down again,

Shamed and cursed may he be, and all shall say Amen.

Earl Simon, thou of Montfort, so powerful and brave,  
Bring up thy strong companies thy country now to save,  
Have thou no fear of menaces or terrors of the grave,  
Defend with might the nation's cause, naught else thine own  
needs crave."

—Rishanger, *Political Songs*.

Prince Edward stood by his oath, but did nothing to prevent the break-up of the provisional government, and soon openly supported his father.

In spite of all this the Provisions, modified at Westminster in 1259, endured for five years, and then it seemed as if nothing could save the country from civil war. As a last resource appeal was made by both sides to King Louis of France to arbitrate concerning the fulfilment of the Provisions, and at Amiens, in January, 1264, the award was given. Louis solemnly gave sentence for the king against the barons, entirely annulling the Statutes and Provisions of Oxford, and in particular declaring the king free to appoint his own ministers, councils, and sheriffs, and to employ aliens. But by the award—the mise—of Amiens the earlier charters given by the crown were to remain, and all disputes arising out of the Parliament of Oxford were to be suppressed. Louis gave as a reason for annulling the provisions that the pope had already annulled them.

The appellants had turned to Louis hoping for peace. The award was the signal for war. Many of the bishops and barons at once withdrew from Simon, who answered the deserters by declaring, “Though all should forsake us, I and my four sons will fight to the death in the righteous cause I have sworn to uphold, to the honour of the Church and the good of the realm. Many lands have I travelled, heathen and Christian, but nowhere have I seen such bad faith and falsehood as in England.”

London was enthusiastic in its support of the barons, and the Cinque Ports, the scholars of Oxford, and the Dominican and Franciscan friars were all on the side of reform. Chief among

Simon's supporters were Bishop Cantilupe, of Worcester, Gilbert, the young Earl of Gloucester, Hugh le Despenser, the justiciar, and Roger Bigod.

War began in March, when Prince Edward captured Gloucester, joined Henry at Oxford, and then seized Nottingham and Northampton, while Simon and the citizens of London attacked Rochester. Henry turned south, and encamped in full force near Lewes.

Again Simon laboured for peace, and in his own name and the name of Gilbert of Gloucester, the Bishops of Worcester and London went as ambassadors to Henry. Simon offered £30,000 to the king if he would make peace and keep to the Provisions of Oxford, and assured him that he had taken up arms not against Henry but against those who were "not only our enemies, but yours, and those of the whole kingdom."

The king treated the proposal with scorn, and Prince Edward added an additional message of contempt.

On the 14th of May the battle of Lewes was fought and won by Simon, "through a singular conjunction of skill and craft on the one side, and rashness and panic on the other."<sup>1</sup>

The Earl of Leicester went into the battle fighting for his country and his oath, and with the exhortation to his men "to pray God, if this our undertaking be pleasing in His sight, to give us might to fulfil the same, serving Him as good knights."

The stout old Bishop of Worcester blessed the troops, "who had among them all but one faith, one will in all things, one love towards God and their

<sup>1</sup> Stubbs.

neighbour, so that they feared neither to offend the king nor even to die for the sake of justice, rather than violate their oaths." (Matthew of Westminster.)

At the end of the day the defeat of the royalists was complete, and the king, Prince Edward and his kinsmen were prisoners.

Then peace was made, Henry once more swearing to keep the charters and articles of Oxford, to employ no aliens, to submit the Provisions to arbitration again, to live thriftily till his debts were paid, and to give his son Edward and his nephew Henry as hostages for good behaviour till a permanent reform in the constitution was made. Early in June these terms of peace were proclaimed in London, to the general satisfaction, and on all sides the people shouted their thankfulness to Simon.

God's blessing on Earl Simon, his sons and followers light !  
 Who put their lives in jeopardy and fought a desperate fight,  
 Because their hearts were moved to hear their English  
 brethren groan  
 Beneath the hard taskmasters' rods, making a grievous  
 moan,  
 Like Israel under Pharaoh's yoke, in thraldom and in dread,  
 Their freedom gone, their lives scarce spared, so evilly they  
 sped.  
 But at the last the Lord looked down and saw His people's  
 pain,  
 And sent a second Mattathias to break their bonds in twain ;  
 Who with his sons so full of zeal for the law and for the right,  
 Will never flinch a single inch before the tyrant's might.  
 To Simon's faith and faithfulness alone our peace we owe,  
 He raised the weak and hopeless and made the proud to bow,  
 He set the realm at one again and brought the mighty low.<sup>1</sup>

And now in the summer of 1264 Earl Simon was to show what he could do for England, for the

<sup>1</sup> "The Song of Lewes"—*Political Songs*.

victory of Lewes had placed power in his hands, and he stood indisputably the foremost man in the realm. For one short year his counsel was to guide the destinies of England and to make that year memorable for all time by the creation of the first representative Parliament.

A new scheme of government was at once drawn up. Three electors chosen by the barons were to appoint a council of nine for the guidance of the king, and Simon of Montfort, Gilbert of Gloucester, and Stephen Berksted, Bishop of Chichester, were speedily chosen as the three electors. Hugh le Despenser remained justiciar, and Thomas Cantilupe, the bishop's nephew, became chancellor. (This Thomas subsequently became Bishop of Hereford, died in Italy, and was canonized.)

Then in December came the issue of writs for Simon of Montfort's famous Full Parliament of 1265. Two knights are to be returned from each shire, and for the first time from each city and borough the burgesses are to send two representatives. Hitherto Parliament had consisted of barons and clergy, and knights sent by the king's tenants, and the representation of the townspeople was unknown. Simon's earlier policy at Oxford had done nothing to extend the basis of government or create a national responsibility for the laws. "The provisions of 1258 restricted, the constitutions of 1264 extended the limits of parliament. . . . Either Simon's views of a constitution had rapidly developed, or the influence which had checked them in 1258 were removed. Anyhow, he had had genius to interpret the mind of the nation and to anticipate the line which was taken by later progress." (Stubbs.)

This development of Simon's views may fairly be traced to his close and intimate connection with the Dominican friars.<sup>1</sup> Simon's father, the warrior of the Albigensian wars, had been the warm friend of St. Dominic. Simon himself was equally the friend of Bishop Grosseteste, the champion of the friars. As far back as 1245 Simon had founded a Dominican priory at Leicester. In 1263 he had been present at a General Chapter of the Dominican Order in Holborn, London, and the Parliament of Oxford had met in a Dominican priory in that city. All along the friars had supported the popular movement.<sup>2</sup>

Now the peculiarity of the Dominican Order of Friars is its representative form of government. Each priory sends two representatives to its provincial chapter, and each province sends two representatives to the general chapter of the order.

Simon of Montfort, when the opportunity came to him for striking out a reform in the English Parliament, adopted the plan which he had studied and seen at work amongst the Preaching Friars. "The idea of representative government had ripened in his hand," and his genius interpreted the mind of the nation. In spite of all the scorn that has been poured on popular elections and the Houses of Parliament, in spite of all the imperfections that necessarily are attached to any constitutional system devised by the wit of man, the idea of representative government has become the inspiration of the nations of the world. The failings of democracy are

<sup>1</sup> I am indebted to my friend Fr. Bede Jarrett, O.P., for this interesting and, I believe, hitherto unpublished suggestion.

<sup>2</sup> It was to a Dominican Convent at Montargis that Simon's widow, the Princess Eleanor, retired after the fatal battle of Evesham.

obvious, the weak spots in popular electoral systems glaring ; but mankind, once grasping the idea of freedom in politics, clamours eagerly for responsibility in law-making and the administration of justice, and refuses to rest satisfied under any despotism or bureaucracy, benevolent or malevolent. Suppressed by dictators, perverted by demagogues, abused by the unscrupulous in power, there still seems nothing better in politics for mankind than self-government. " Better is he who rules his own temper than he who storms a city," wrote Friar Adam of Marsh to Simon of Montfort. " Better self-government for a people than world-wide conquest," the average man declares, and the opinion slowly moulds the destinies of nations, till " patriotism " becomes the word for good service in politics.

The verse of the thirteenth century chronicler :—

The king that tries without advice to seek his people's will,  
Must often fail, he cannot know the woes and wants they  
feel,

gets re-expression in the nineteenth century in Abraham Lincoln's : " Government of the people, by the people, for the people." Always threatened by the personal ambition of man, often overthrown when ambition held the sword of power, contemptible to the wise and prudent because of the simplicity and innocence of " the people," denounced as dangerous by the professional expert in bureaucracy because of the ignorance of " the people," its inadequacy the common theme of the disappointed—representative government survives its enemies, defies its critics, and with its blemishes unconcealed, finds the company of its lovers ever increasing and recruiting in its behalf.

For since that first Full Parliament of Earl Simon's in 1265 it has never been possible to get rid of the notion that representative government was a key to the portals of freedom; and though the wider the freedom the greater the responsibility, to the credit of the race at all times men and women have pressed forward, not rejecting responsibility.

Simon's parliament sat from January to March. Its chief business was the confirmation of the treaty of peace at Lewes, and Henry swore as usual to maintain the new constitution, the charters and provisions. The government was short-lived. Danger from France, where the queen and Archbishop Boniface of Canterbury and all Henry's alien courtiers planned invasion with an army collected in Holland, had passed away at the close of the previous summer. There had been a great muster of troops for national defence near Dover, bad weather had incapacitated the queen's fleet, and Louis of France agreed to negotiations in place of war. The Cinque Ports mariners refused a landing to the pope's legate, who was ready to excommunicate the new government, and flung his papal bull in the sea.<sup>1</sup>

Not from abroad but from within came the foes who overthrew Simon's government and murdered the great statesman. Earl Gilbert, of Gloucester, like his father, grew jealous of Simon's leadership, and disputed his authority as to the ransom of some of the prisoners of Lewes, and Simon's sons added

<sup>1</sup> An appeal was lodged at Rome by several English bishops against the threatened excommunication, but the papal legate himself became pope early in 1265, and, as Pope Clement V., was the strongest enemy of Simon and the national cause. It was only after Evesham and the death of Simon that Clement urged a wise policy of mercy on Henry and the royalists.

fuel to the flame by their pride and overbearing insolence. Roger Mortimer and some of the nobles of the Welsh marches rose for King Henry in the spring of 1265, and Gilbert deserted the barons for the king.<sup>1</sup> William of Valence landed in South Wales with a body of crossbowmen in May, and when Simon reached Hereford to put down the rebellion, Prince Edward, who, with the king, had been in Simon's custody, made his escape to Mortimer and the marches.

Edward quickly raised troops, and joined Gilbert at Ludlow, where he took an oath to obey the laws and charters of the realm. Simon, in some danger of being cut off by this movement on his rear, sent word to his second son—Simon—to go to Kenilworth and join him at Evesham, and then turned back from Wales.

The younger Simon was surprised at Kenilworth by a sudden raid by Edward. His camp was broken up, his banners taken, and he was driven back into the castle. Edward, fully aware that Earl Simon had only a small force with him, hurried off to Evesham to attack him, before young Simon could rally his scattered troops and come to his father's help.

On the morning of August 4th Earl Simon halted at Evesham, and at the king's request, for Henry was still his captive, heard mass and dined. His

<sup>1</sup> "In this year, while Edward, the king's son, was still held in ward in the Castle of Hereford, dissension arose between Simon, Earl of Leicester, and Gilbert, Earl of Gloucester. . . .

"For which cause the old friendship was turned into hate, so much so that neither the consideration of his oath nor former devotion could thenceforth pacify the said Gilbert. . . . An endeavour was made by certain prelates to restore the Earls of Leicester and Gloucester to their former union; but they could in no wise succeed."—W. Rishanger.

son's army, now on its way, halted for the same purpose at Alcester. "He was now only ten miles distant and the junction of father and son seemed secure."<sup>1</sup> But Prince Edward was already between them. "As the morning broke his army lay across the road that led northward from Evesham to Alcester. Ere three hours had passed the corpse of the great earl lay mangled amid a ring of faithful knights, and the 'murder of Evesham, for battle none it was,' was over."

At first Simon thought the advancing army was his son's, for Edward displayed the captured banners of Kenilworth, but when he saw the standards of the prince and of Gloucester, and the well-known banner of Mortimer, the truth was clear.

"By the arm of St. James," cried the earl, "they come on skilfully, for they have turned my lessons against me. God have mercy on our souls, for our bodies are theirs! Though if Simon were to come up we might hope yet." He turned to his eldest son, and pointing to the banner of Gloucester said, "See, Henry, what your pride has done."

In vain Henry urged his father to fly while escape was possible. "I had as lief die here in a good cause as in the Holy Land," said the earl, and the barons and knights standing round were equally resolute to fight to the end—though they had but two men to every seven of the enemy. The good Bishop of Worcester blessed the little army as he had done at Lewes, and then the battle began. The Welsh footsoldiers quickly lost heart and fled from Simon and the field, and the barons were soon hemmed in. One by one they fell—Henry of

<sup>1</sup> J. R. Green, "The Ban of Kenilworth," *Historical Studies*.

Montfort, Hugh le Despenser, the wise and upright justiciar, and Simon himself, wounded and unhorsed, "fought on to the last like a giant for the liberties of England." A soldier stabbed him in the back under the mail he wore, and then he was borne down and slain, overwhelmed by numbers rather than conquered. "So a death full of honour ended the chivalry and prowess, ennobled by so many deeds in so many lands." "Thus lamentably fell the flower of knighthood, leaving to others an example of steadfast courage. Who can prevent the treachery of friends? Those who had eaten his bread had raised their heels against him. Those who had spoken words of love to him with their lips lied in their throats, for their hearts were not right with him, and they betrayed him in his hour of need." (W. Rishanger.)

For nearly three hours the unequal battle was fought, in the midst of storm and darkness. So dark was it that King Henry, who had been forced to remain with Simon's knights, had difficulty in saving his life, and was actually wounded by a javelin before he was recognized by Edward's soldiers.

The monks of Evesham carried the bodies of some of the barons into the abbey for burial, and after horrible mutilations by the victors the remains of the great earl were reverently interred by the side of Hugh le Despenser, before the high altar.

"Those who knew Simon praise his piety, admire his learning, and extol his prowess as a knight and skill as a general. They tell of his simple fare and plain russet dress, bearing witness to his kindly speech and firm friendship to all good men, describe his angry scorn for liars and unjust men, and marvel

at his zeal for truth and right, which was such that neither pleasure nor threats nor promises could turn him aside from keeping the oath he swore at Oxford; for he held up the good cause 'like a pillar that cannot be moved, and like a second Josiah esteemed righteousness the very healing of his soul.' As a statesman he wished to bind the king to rule according to law, and to make the king's ministers responsible to a full Parliament; and though he did not live to see the success of his policy, he had pointed out the way by which future statesmen might bring it about." (F. York Powell.)

The news of Simon's death was received with general mourning as it spread over the land. He was acclaimed by the people as a saint and martyr, and miracles were said to be worked by his relics.<sup>1</sup> The Franciscan friars drew up a service in his honour—"consisting of lessons, responses, verses, hymns, and other matter appertaining to the honour and respect due to a martyr."<sup>2</sup> But the pope who had excommunicated Simon was not likely to hear of canonization, and "as long as Edward lives the service compiled in Simon's honour cannot gain acceptance to be chanted within the church of God, which was hoped for."<sup>3</sup>

The "Lament of Earl Simon,"<sup>4</sup> compared the mighty statesman with Thomas of Canterbury:

<sup>1</sup> "The triumph over Earl Simon had been a triumph over the religious sentiment of the time, and religion avenged itself in its own way. Everywhere the earl's death was viewed as a martyrdom, and monk and friar, however they might quarrel on other points, united in praying for the souls of the dead as for 'soldiers of Christ.'"—J. R. Green, "The Ban of Kenilworth," *Historical Studies*.

<sup>2</sup> *Chronicles of Melrose.*

<sup>3</sup> *Ibid.*

<sup>4</sup> Wright, *Political Songs.*

For by his death Earl Simon hath  
 In sooth the victory won,  
 Like Canterbury's martyr he  
 There to the death was done.  
 Thomas the good, that never would  
 Let holy church be tried ;  
 Like him he fought, and flinching not,  
 The good earl like him died.

*Refrain :*

Now low there lies the flower of price  
 That knew so much of war ;  
 The Earl Montfort, whose luckless sort,  
 The land shall long deplore.

Death did they face to keep in place  
 Both righteousness and peace ;  
 Wherefore the saint from sin and taint  
 Shall give their souls release.  
 They faced the grave that they might save  
 The people of this land ;  
 For so his will they did fulfill  
 As we do understand.

*Refrain.*

Sir Simon now, that knight so true,  
 With all his company,  
 Are gone above to joy and love  
 In life that cannot die ;  
 But may our Lord that died on rood  
 And God send succour yet  
 To them that lie in misery,  
 Fast in hard prison set.

*Refrain.*

The good cause for which Simon had fought might well have seemed lost, when Edward's knights were hacking the dead body of the great earl to pieces at Evesham. But it was not exactly a "Royalist victory," for the very men who stood victors over the mangled corpse of Earl Simon were

men as resolute as he was to enforce the Great Charter and its results against the king.<sup>1</sup>

In the hour of triumph Henry struck hard, and a mad reaction of terror ensued. But the movement Simon had led could not be turned back, and the very savage extravagance of the royalist party defeated its own ends. A general sentence of disinheritance against all who had fought with Simon drove the disinherited barons to keep up the fight. The siege of Kenilworth, where Sir Henry of Hastings defied the whole royal army, lasted from June to December, 1266, and was only ended by Parliament insisting on the king appointing a board of twelve, who made a just award concerning the disinherited. By this award, called the Ban of Kenilworth :—

The royal obligation to keep the charters was required.

The acts of Simon were annulled, and the full prerogatives of the crown declared.

The freedom of the Church was demanded.

Justice was to be done according to the laws and customs of the realm.

The adherents of Simon were to be punished by fine and not by disinheritance, so that the king could repay those who had served him faithfully without giving occasion for fresh war.

Simon was not to be proclaimed a saint (seeing he died under the excommunication of the Church), and those who spread idle tales of miracles done at his tomb were to be punished.

A complete indemnity was promised to all who accepted the ban within forty days.

<sup>1</sup> See J. R. Green, "Annals of Osney and Wykes," *Historical Studies*.

For a time the ban was rejected, and it was not till the summer of 1267 that the struggle was finally over. Peace was assured by the Parliament of Marlborough in November, 1267, which re-enacted the Provisions of Westminster (1259) as a statute.

The lasting value of Simon's work was seen in 1295, when Edward I. summoned his great representative parliament on the professed principle that "that which touches all shall be approved by all." This assembly, by that very principle, served as "a pattern for all future assemblies of the nation." (Stubbs.)

Had Simon of Montfort received canonization by the Church he would surely have been the patron saint of all workers in the world of politics, and of all who honestly and courageously engage in public work.

# Wat Tyler and the Peasant Revolt

1381

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## WAT TYLER AND THE PEASANT REVOLT

1381

**T**HE Peasant Revolt of 1381, led by Wat Tyler, was not only the first great national movement towards democracy, it was the first uprising of the English people in opposition to all their hitherto recognised rulers in Church and State, and it was the first outburst in this land against social injustice.<sup>1</sup>

The Black Death in 1349 and the pestilence that ravaged the country in 1361 and 1369 upset the old feudal order. The land was in many places utterly bereft of labour, and neither king nor parliament could restore the former state of things. Land-owners, driven by the scarcity of labour, went in for sheep farming in place of agriculture, and were compelled to offer an increase of wages in spite of the Statutes of Labourers (1351-1353) which expressly forbade the same :—

“ Every man or woman of whatsoever condition, free or bond, able in body, and within the age of three-score years, and not having of his own whereof he may live, nor land of his own about the tillage of which he may occupy himself, and not serving any other, shall be bound to serve the employer who

<sup>1</sup> “ The project was clearly to set up a new order of things founded on social equality—a theory which in the whole history of the Middle Ages appears for the first time in connection with this movement.”—Gairdner.

shall require him to do so, and take only the wages which were accustomed to be taken in the neighbourhood two years before the pestilence."

This act remained the law until the fifth year of Elizabeth.

"Free" labourers, landless men but not serfs, wandered away to the towns or turned outlaws in the forests. Serfs—only a small number of the population, for the Church had always recommended their liberation, even while abbots and priors retained them on Church estates, and Edward III. had encouraged granting freedom in return for payment in money—escaped to those incorporated towns that promised freedom after eighteen months' residence. Villeins and lesser tenants commuted the service due from them to their landlords by money payments, and so began the leasehold system of land tenure.

For thirty years preceding the Peasant Revolt the social changes had bred discontent, and discontent rather than misery is always the parent of revolt.

An early statute of Richard II., framed for the perpetual bondage of the serfs, heightened the discontent.

"No bondman or bondwoman shall place their children at school, as has been done, so as to advance their children in the world by their going into the Church."

This same act made equal prohibition against apprenticeship in the town.

The free labourer had his grievance against the Statute of Labourers. Villeins and cottar tenants had no sure protection against being compelled to give labour service to their lords; and they, with

the freehold yeomen and the town workmen and shopkeepers, hated the heavy taxation, the oppressive market tolls and the general misgovernment.

To unite all these forces of social discontent into one great army, which should destroy the oppression and establish freedom and brotherhood, was the work John Ball—an itinerant priest who came at first from St. Mary's at York, and then made Colchester the centre of his journeyings—devoted himself to for twenty years.

Ball preached a social revolution, and his gospel was that all men were brothers, and that serfdom and lordship were incompatible with brotherhood. In our times such teaching is common enough, but in the fourteenth century, with its sumptuary laws and its feudal ranks, only in religion was this principle accepted.<sup>1</sup> John Ball became the moving spirit in the agitation set on foot by his teaching. He had his colleagues and lieutenants, John Wraw in Suffolk and Jack Straw in Essex—both priests like himself—William Grindcobbe in Hertford and Geoffrey Litster in Norfolk. The peasants were organised into clubs, and letters were sent by Ball far and wide to stir up revolt. In Kent and the eastern counties lay the main strength of the revolutionaries—it was in Kent that Ball was particularly active just before the rising—but Sussex, Hampshire, Lincolnshire, Warwickshire, Yorkshire and Somerset were all affected, so grave and so general was the dissatisfaction, and so hopeful to the labouring people was the message delivered by John Ball.

<sup>1</sup> It may be said that to-day the idea of political and social equality is generally accepted and that of brotherhood denied. In the fourteenth century brotherhood was esteemed, but equality was a strange, intruding notion.

Of course Ball did not escape censure and the penalty of law during his missionary years. He was excommunicated and cast into prison by three Archbishops of Canterbury, Islip, Simon Langham, and Simon Sudbury, for teaching "errors, schisms, and scandals against the popes, archbishops, bishops, and clergy," and he was only released from prison, from Archbishop Sudbury's gaol at Maidstone, by the rough hands of the men of Kent when the rising had begun. The "errors" of John Ball were civil and social rather than theological. The notion that Ball and his fellow socialists of the fourteenth century were mixed up with Wycliff and the Lollards has really no foundation in fact.<sup>1</sup> Wycliff's unorthodox views on the sacraments and his attacks on the habits of the clergy were of no interest to the social revolutionists, and John of Gaunt, the steady friend of Wycliff, was hated above all other men in the realm by the leaders of the revolt. Wycliff expressed as little sympathy with the Peasant Revolt of his day as Luther later in Germany did with the Peasant War, or Cranmer with the Norfolk rising under Ket in 1549.

John Ball's sermons were all on one text—"In the beginning of the world there were no bondmen, all men were created equal. Servitude of man to man is contrary to God's will." He declared that "things will never go well in England so long as goods are not kept in common, and so long as there

<sup>1</sup> "The bias of Wyclif in theory and practice is secular, and aristocratic, and royalist: it is not really socialistic or politically revolutionary."—Figgis, *Studies of Political Thought*. Nevertheless, many writers have tried to discredit Lollardy by associating it with social revolt, just as others have tried to discredit John Ball by making him out a "heretic," and a follower of Wycliff.

are villeins and gentlefolks." He harped on the social inequalities of his age, quoting freely from Langland's *Piers the Plowman*, and enlarging on the famous couplet :

When Adam delved and Eve span,  
Who was then the gentleman?

As years went by and the time grew ripe for revolt, there is a definite call to rise in Ball's letters and speeches. "Let us go to the king, and remonstrate with him," he declares, "telling him we must have it otherwise, or we ourselves shall find the remedy."

Richard II. was but eleven when he came to the throne in 1377. "He is young. If we wait on him in a body, all those who come under the name of serf or are held in bondage will follow us, in the hope of being free. When the king shall see us we shall obtain a favourable answer, or we must then ourselves seek to amend our condition."

Some of the rhymed letters Ball sent out, bidding his hearers "stand together manfully in the truth," urge preparation for the coming conflict :

John Ball greeteth you all,  
And doth to understand he hath rung your bell.  
Now with right and might, will and skill,  
God speed every dell.

John the miller asketh help to turn his mill right :  
He hath ground small, small,  
The King's Son of Heaven will pay for it all,  
Look thy mill go right, with its four sails dight.

With right and with might, with skill and with will,  
And let the post stand in steadfastness,  
Let right help might, and skill go before will,  
Then shall our mill go aright.  
But if might go before right, and will go before skill,  
This is our mill mis-a-dight.

Beware ere ye be woe,  
 Know your friend from your foe,  
 Take enough and cry 'Ho !'  
 And do well and better and flee from sin,  
 And seek out peace and dwell therein,  
 So biddeth John Trueman and all his fellows.

In other letters he greets John Nameless, John the Miller, and John Carter, and bids them stand together in God's name; and bids Piers Plowman "go to his work and chastise well Hob the Robber (Sir Robert Hales, the king's treasurer); and take with you John Trueman and all his fellows, and look that you choose one head and no more."

These letters and the preaching did their work; the peasants were organised; men of marked courage and ability were found in various counties; and "the one head and no more" was ready in Kent to lead the army of revolt to the king when the signal should be given. Litster, Grindcobbe, and Wraw were at their posts. In every county from Somerset to York the peasants flocked together, "some armed with clubs, rusty swords, axes, with old bows reddened by the smoke of the chimney corner, and odd arrows with only one feather."

John Ball had rung his bell, and at Whitsuntide, at the end of May, 1381, came the great uprising, the "Hurling-Time of the Peasants." The fire was all ready to be kindled, and a poll-tax, badly ordered, set the country ablaze.

The poll-tax was first levied, in 1377, on all over fourteen years of age. Two years later it was graduated, from 4d. on every man and woman of the working class to £6 13s. 4d. on a duke or archbishop. Even this with a further tax on wool was found insufficient.

So early in 1381 John of Gaunt called the parliament together at Northampton, and declared that £160,000 must be raised. Parliament refused to find more than £100,000, and the clergy, owning at that time one-third of the land, promised £60,000. Again a poll-tax was demanded. This time everybody over fifteen was required to pay 1s., but in districts where wealthy folks lived it was held sufficient that the amount collected in every parish averaged 1s. per head ; only the rich were not to pay less than £1 per household, nor the poor less than 8d. In parishes where all were needy the full shilling was demanded without exception. It soon appeared that the money was not to be raised. In many parts the returns as to the population liable to the tax were not even filled in with any attempt at accuracy, and numbers avoided liability by leaving their homes—to escape a tribute, which to the struggling peasant meant ruin. Of the £100,000 required only £22,000 was forthcoming.

Then one John Legge undertook to supply the deficit, if he had the authority of the crown to act as special commissioner to collect the tax. The appointment was made, with the result that the methods of the tax-collectors provoked revolt, and Legge lost his life over the business.

The rising began in Essex, when the villagers of Fobbing, Corringham, and Stanford-le-Hope were summoned to meet the tax-commissioner at Brentwood. Unable to pay, they fell upon the collectors and killed them. The government met this assault by sending down Chief Justice Belknap to punish the offenders. But as the judge merely had for escort a certain number of legal functionaries, and as

the blood of the people was up, Belknap was received with open contempt, and, forced to swear on the Bible that he would hold no other session in the place, was glad to escape from the town without injury. And with this defiance and overpowering of the king's officers the signal was given, the beacon of revolt well lighted.

It was June 2nd, Whit Sunday, when the Chief Justice was driven out of Brentwood; two days later Kent had risen at Gravesend and Dartford.

At Gravesend Sir Simon Burley, the friend of Richard II., seized a workman in the town, claiming him as a bondsman of his estate, and clapped him in Rochester Castle, refusing to hear of release unless £300 was paid.

At the same time word went about that the tax-collector at Dartford was insulting the women, and that, in especial, the wife and daughter of one John Tyler had been abused with gross indecency.

Whereupon this John Tyler, "being at work in the same town tyling of an house, when he heard thereof, caught his lathing staff in his hand, and ran reaking home; where, reasoning with the collector, who made him so bold, the collector answered with stout words, and strake at the tyler; whereupon the tyler, avoiding the blow, smote the collector with his lathing staff, so that the brains flew out of his head. Wherethrough great noise arose in the streets, and the poor people being glad, everyone prepared to support the said John Tyler."<sup>1</sup>

Robert Cave, a master baker of Dartford, led the

<sup>1</sup> Froissart seems to be mainly responsible for the belief that this John Tyler became the great leader of the movement, confusing him with Wat Tyler, of Maidstone, the real leader. Several writers allege the indecency of the tax-collectors.

people straight off to Rochester ; and the castle having been stormed, and all its prisoners released, Sir John Newton, the governor of the castle, was retained in safe custody.

And now the time had come for good generalship and discipline in the ranks, if the fire of revolt was to burn aright. Accordingly at Maidstone, on June 7th, Wat Tyler is chosen captain of the host ; and proof is quickly given that the rising is not for mob rule or general anarchy, but to redress positive and intolerable wrongs. (Five Tylers are mentioned in the records of the Peasant Revolt : Wat Tyler, of Maidstone ; John Tyler, of Dartford, who slays the tax-collector, and is not heard of again ; Walter Tyler, of Essex ; and two Tylers of the City of London—William, of Stone Street, and Simon, of Cripplegate.)

In every respect was this Wat Tyler a man of remarkable gifts. Chosen as leader by the voice of his neighbours in Kent, his authority is at once obeyed without dispute, and his influence is seen to extend beyond the borders of his own county. Jack Straw acts as his lieutenant ; John Wraw, of Suffolk, and William Grindcobbe, of St. Albans, come to him for advice ; and it is not till Tyler moves on London with his army that the rising becomes national. He is plainly marked out as a great leader of masses of men. Skilful, courageous, humane, Wat Tyler is proved to be ; firm, clear-headed, downright in manner, and yet large-hearted, jovial and brotherly—equally at home with king or beggar. There is nothing of the fanatical doctrinaire about this first great leader of the English people. He could order the execution of “ traitors,” but he is not the man for bloodshed in England if the

revolution he and John Ball aimed at can be accomplished by peaceful means. After more than 500 years the reputation of Wat Tyler stands out untarnished and unshaken.<sup>1</sup>

Yet for eight days—and eight days only—does history allow us to follow the career of this remarkable man. On June 7th Wat Tyler was chosen by the men of Kent to lead the revolt ; on June 15th he was dead. Of his antecedents we know nothing. Parentage, birth-place, age, height, and personal appearance, are all unrecorded. His trade alone we can infer, and we know that his contemporaries trusted him to the full : for no suggestion has been made of any kind of rivalry or jealousy amongst the leaders, or of criticism or grumbling amongst the rank and file.

Wat Tyler emerges from the obscurity of history to become a strong democratic leader. For eight days he commands a vast army of men ; he confronts the king as an equal ; orders the execution of the chief ministers of the crown ; and wrests from the king promises of fundamental social importance. Then, in the very hour of victory, an unexpected blow from an enemy strikes him down, and death follows. Surely to few men is it awarded to achieve an immortal reputation in so brief a public life.

No sooner is Tyler acclaimed as leader at Maidstone than the commons of Kent are flocking to the standard of revolt. The cry is for "King

<sup>1</sup> " Tyler, according to Walsingham, was a man of ready ability and good sense. Save in some excesses, which, perhaps, were politic, possibly unavoidable, and certainly exaggerated, the rebels under him are admitted to have kept good order, and to have readily submitted to discipline."—Thorold Rogers. To Froissart Tyler appears merely as "a bad man, and a great enemy of the nobility."

Richard and the Commons," and it goes hard with any who refuse to take the oath. John of Gaunt is the enemy. John of Gaunt is held to be responsible for all the mischief wrought on the coast towns of Kent by the privateer fleets of the Scots and the French, for the raiding of Rye and Winchelsea. (Only in the previous year these fleets had invaded the Thames as far as Gravesend.) John of Gaunt is the head and front of the misrule that bled the land with poll-taxes. John of Gaunt is the incarnation of the landlord rule that would keep the labourer in bondage for ever. So bitter is the feeling against John of Gaunt, and so acute the fear that he is aiming at the crown, that a vow is taken by the men of Kent that no man named "John" shall be King of England.

John of Gaunt was the common enemy. But John of Gaunt was far away on the Scottish border, and there were enemies near at hand to be dealt with. The manor-houses of Kent were attacked ; in a few cases, where their owners were notoriously bad landlords, were burnt. The main thing, however, was to obtain the rent-rolls, the lists of tenants and serfs, and all the documents of the lawyers. These papers were seized and destroyed by the peasants, for no assurance of freedom was possible while such evidence of service could be produced. These documents were the legal instruments of landlord rule ; and as the people had risen to end this rule, a beginning had to be made by destroying the machinery. There was no general reign of terror in the country ; there was nothing of the ferocity of the Jacquerie in France ; no slaughter of landlords ; and no common destruction of property.

The nobility seemed to expect judgment at the hands of the people, and those who were at Plymouth making preparation for their invasion of France put to sea as quickly as possible when news came of the rising.<sup>1</sup> But the people had risen not for blind vengeance or for civil war, and the class who suffered badly at the rising were the lawyers rather than the landlords. It was the lawyer's hand that the peasants saw and felt, and not the mailed fist, for the lawyer was not only the land agent of the lord of the manor, he was also the judge in matters of dispute between landlord and tenant, and it was he who kept the lists of villeins and serfs, and in the service of his lord did not scruple to manipulate those lists.

In those first days of the rising, when yeomen and more than one landholder joined the army of revolt,<sup>2</sup> and all who were willing to cry "King Richard and the Commons" were counted as supporters, the worst that the landlord suffered (except in extreme cases) was the loss of his papers, but the lawyer who clung to his office was often hanged without mercy, as a scourge to the commonwealth.

Tyler was at Canterbury on Monday, June 10th, and here Archbishop Sudbury's palace was ransacked for papers, and his tenant-rolls burnt. Beyond this, and a rough exhortation to the monks to prepare to elect a new archbishop, no injury was done. The following day Tyler was back at Maid-

<sup>1</sup> "Fearful lest their voyage should be prevented, or that the populace should attack them, they heaved their anchors and with some difficulty left the harbour, for the wind was against them, and put to sea, when they cast anchor for a wind."—Froissart.

<sup>2</sup> Two names at least have been preserved—Squire Bertram Wilmington of Wye and John Corehurst of Lamberhurst.

stone, and his men burst open the archbishop's prison and released John Ball, with all others who had incurred ecclesiastical displeasure. This accomplished, with John Ball, the people's poor priest, in the midst of them, 30,000 men of Kent—yeomen, craftsmen, villeins and peasants—set out for London under Wat Tyler's command.

Blackheath was reached at nightfall on Wednesday, June 12th, and a camp fixed; but a few indefatigable rebels hastened on to Southwark that same night to burst open the Marshalsea and King's Bench prisons. John Wraw was at Blackheath, and after a short conference with Wat Tyler, hastened back to Suffolk to announce that the hour of rising had struck.

Near Eltham Tyler had overtaken the young king's mother, the widow of the Black Prince, returning from a pilgrimage, and had promised that no harm should befall her or her women from his host. Reassured, the princess and her company went on their way in safety to the Tower of London, where Richard and his council were assembled, and told of the great uprising.

Judges had already been despatched into Kent at the first news of the disorders, but had turned back before reaching Canterbury, not liking the look of things.

Early on Thursday morning, June 13th, the camp at Blackheath was astir. It was Corpus Christi day and a solemn festival. After mass had been said before all the people, John Ball preached on his old theme of equality and brotherhood. "For if God had intended some to be serfs and others lords He would have made a distinction between them at the

beginning." He went on to speak of the work to be taken in hand at once.

"Now is the opportunity given to Englishmen, if they do but choose to take it, of casting off the yoke they have borne so long, of winning the freedom they have always desired. Wherefore let us take good courage and behave like the wise husbandman of scripture, who gathered the wheat into his barn, but uprooted and burned the tares that had half-choked the good grain. Now the tares of England are her oppressive rulers, and the time of harvest has come. Ours it is to pluck up these tares and make away with them all—the evil lords, the unjust judges, the lawyers, every man indeed who is dangerous to the common good. Then should we all have peace for the present and security for the future. For when the great ones have been rooted up and cast away, all will enjoy equal freedom, all will have common nobility, rank and power."

The sermon was received with bursts of cheers, and the people shouted that John Ball should be archbishop, "for that the present archbishop and chancellor, Simon Sudbury, was but a traitor."

Later that morning Sir John Newton arrived at the Tower with a message from Tyler, asking for an audience with the king. All along it was the belief of the commons that the king had but to hear the tale of their wrongs and redress would be speedily obtained.

"Hold no speech with the shoeless ruffians," was the advice of Sir Robert Hales, the treasurer. But Richard agreed to an interview, and presently rowed down the Thames in the royal barge as far as Rother-

hithe with the Earl of Suffolk (President of the Council), and the Earls of Salisbury and Warwick.

The river bank was crowded with the commons of Kent, and Wat Tyler and John Ball urged the king to land and listen to the message his subjects brought. They were promptly rebuked by the Earl of Salisbury<sup>1</sup> for their boldness :

“Gentlemen, you are not properly dressed, nor are you in a fit condition for the king to talk to you.”

Instead of landing, Richard listened to the counsels of fear and pride, and the royal barge was turned and rowed back swiftly to the Tower.

Wat Tyler and the men of Kent, with thousands more from Surrey, at once marched on to London Bridge, where they destroyed the houses of ill-fame that clustered round the south side of the bridge. The prisons had been pulled down the night before, and now the brothels were burnt to the ground and their inmates dismissed—that the new City of God of John Ball’s vision might be cleansed of its old foulness. These places of infamy, rented by Flemish women, were the property of William Walworth, the Mayor of London ; and their destruction filled him with rage against the invaders.

Walworth made some attempt to fortify London Bridge by placing iron chains across the bridge ; and he gave orders for the drawbridge to be pulled up, in order that a passage might be prevented. But on Tyler’s threat that he would burn the bridge if a way was not quickly made for him, Alderman

<sup>1</sup> Seven years later this Earl of Salisbury, fleeing from Henry Bolingbroke, was hanged in the streets of Cirencester at the hands of the people.

Sibley (who, with Aldermen Horne and Tonge, supported the claims of the revolutionaries on the City Corporation) had the chains removed and the draw-bridge lowered, and Alderman Horne met Tyler at the city gate and bade him welcome.

Fifty thousand men followed Tyler in London, and the city was now at the mercy of the peasant army. Walworth, who had no want of spirit, declared to the king and his council in the Tower that 6,000 soldiers could be raised in the city, but "fear had so fallen upon the soldiery that they seemed half dead with fright." Sir Robert Knolles with 600 men-at-arms guarded the Tower.

It was now that Wat Tyler's great qualities of leadership and the good discipline of his army were seen. With London in his hands, he warned his followers that death would be the instant punishment for theft; and proclaimed to the citizens, "We are indeed zealots for truth and justice, but we are not thieves and robbers." Every respect was to be shown to the persons and property of the people of London, and wrath was only to fall on John of Gaunt and the ministers of the crown, and the lawyers—the enemies, as it seemed to Tyler, of the good estate of England. In return, the citizens offered bread and ale freely to the invaders, and London artisans joined their ranks in large numbers.

The archbishop's palace at Lambeth was soon stormed, and all the records it contained were destroyed; the building itself was left uninjured.

At four o'clock in the afternoon the Savoy Palace of John of Gaunt, by the Strand, was in flames; and all its wealth of treasure, rich tapestries and costly

furniture, rare vessels of gold and silver, precious stones, and art work of priceless value, heaped up on a bonfire or ground to powder. The Duke of Lancaster's jewelled coat, covered with gems, was set up as a target and riddled with arrows, before it was cut into a thousand pieces and pounded to dust. One wretched man was caught attempting to sneak off with a silver cup ; and being taken in the act, was put to death as Tyler had decreed. The Savoy was burnt to the ground, but no one interfered with its inhabitants ; and Henry, Earl of Derby, John of Gaunt's son (who was to reign in Richard's stead as Henry IV.), passed out with all his servants unmolested. The wine-cellar proved fatal to certain of the host, who, drinking freely, perished, buried under the fallen building.

From the Savoy the army of destruction passed to the Temple, the head-quarters of the Knights Hospitallers, of whom Sir Robert Hales was president, and a hive of lawyers. The Temple was burnt, but no lives were lost ; for the lawyers, "even the most aged and infirm of them, scrambled off with the agility of rats or evil spirits."

At nightfall the priory of the Hospitallers at Clerkenwell, the prisons at the Fleet and at Newgate, and the Manor House at Highbury, had all been demolished ; and the men of Essex, led by Thomas Faringdon, a London baker, were at Mile End ; while William Grindcobbe, with a body of men from St. Albans, lay at Highbury.

In vain Walworth urged the king and his royal council to act. Richard had sent to Tyler asking for a written statement of the grievances of the commons, and had been told in reply

that the king must meet his commons face to face, and hear with his own ears their demands. In the evening Walworth proposed that the garrison at the Tower should be despatched against Tyler, "to fall upon these wretches who were in the streets, and amounted to 60,000, while they were asleep and drunk. They might be killed like flies," Walworth added, "for not one in twenty had arms."

But the handful of soldiers at the Tower were in mortal terror of the peasant host, and "all had so lost heart that you would have thought them more like dead men than living."

The Earl of Salisbury checked Walworth's rash proposals. "If we begin what we cannot carry through," he observed, "we shall never be able to repair matters. It will be all over with us and our heirs, and England will be a desert."

An open conflict with Tyler and his 60,000 was a very hazardous proceeding. Who could be sure of escape if it came to battle? So far Tyler had only struck at the chief ministers and the lawyers, and why should others risk their lives in such a quarrel? Besides, it was said that Wat Tyler and a mad priest of Kent were for doing away with all nobles, and for making all men equal, and caution was necessary in dealing with men who held such strange opinions. England without its nobility would be a desert, and at all costs such an irreparable calamity as the loss of England's nobility must be prevented.

So Walworth got no help in his plans for resistance; and when that night a messenger from Tyler warned the king that if he refused to meet the commons of England in open conference, the people would seize the Tower, Richard sent word in reply

promising to meet his subjects on the morrow at noon at Mile End, and there hear their complaints.

Tyler accepted the king's word, and after sleeping with his men hard by the Tower, at St. Catherine's Wharf, was at Mile End betimes. Here he met Grindcobbe, and hearing that the people of Hertfordshire had trouble with the abbot at St. Albans, bade Grindcobbe return and accomplish freedom for the abbot's tenants and serfs.

Richard went to Mile End with no large retinue, and two of his companions, the Earl of Kent and Sir John Holland, left him at Whitechapel and galloped off in craven fear of the multitude that thronged the road. Richard, though he was only fifteen, displayed both courage and cunning when confronted with Tyler. He knew that the discontent in the country was directed against the government, and not against the king, and that the misrule could not fairly be laid to his charge. Besides, he was the son of the Black Prince, and the people showed no signs of hostility. His policy was to yield and to wait an opportunity for regaining power.

The conference at Mile End began with a request from Richard to know what was required of him. Tyler answered that first all traitors should be executed, and to this demand the king agreed. Then four definite proposals were put forward by Wat Tyler :

1. A free and general pardon to all concerned in the rising.
2. The total abolition of all villeinage and serfdom.
3. An end to all tolls and market dues,—“ freedom to buy and sell in all cities, burghs, mercantile

towns, and other places within our kingdom of England."

4. All customary tenants to be turned into leaseholders whose rent should be fixed at 4d. an acre for ever.

Richard at once assented to these requests, and to prevent any uncertainty and remove all doubt or suspicion of good faith, thirty clerks were set to work on the spot to draw up charters of manumission, and to present banners to each county represented.

Then Richard bade the people return home in peace, bearing the king's banner in token that the king had granted the request of his subjects. One or two from each village remained to carry the charters of freedom signed and sealed by royal warrant.

Richard was taken at his word. Thousands of the peasants dispersed that day believing their cause had triumphed. Nothing could be plainer than the charters of manumission :—“ Know that of our special grace we have manumitted all our liege and singular subjects and others of the county of Hertford, freed each and all of their old bondage, and made them quit by these presents; pardon them all felonies, treasons, transgressions, and extortions committed by any and all of them, and assure them of our *summa pax*.”

So ran the document which the peasants of Hertford bore, and similar charters were given to the counties of Bedford, Essex, Kent, and Surrey.

Richard was also taken at his word concerning the execution of traitors, and by the authority of Wat Tyler, Archbishop Sudbury, the chancellor, Sir Robert Hales, the treasurer, and John Legge, the

poll-tax commissioner, were dragged out of the Tower and beheaded on Tower Hill. When Richard returned from Mile End the heads of these three men were on the gate of London Bridge.

Simon Sudbury, Archbishop of Canterbury, deserved a better fate, for he was an amiable and gentle priest, and "lenient to heretics." As chancellor he shared the punishment of a government deservedly hated, but there were many who deplored his death.

The soldiers at the Tower offered no resistance, but joked and fraternised with the people.

(John of Gaunt's chaplain, William Appleton, some of Legge's subordinates, and Richard Lyons also perished that day on Tower Hill. Of these, Richard Lyons was a thoroughly corrupt person, who five years earlier had been convicted of gross usury and of fraudulently "forestalling" in the wool trade, and had escaped the penalty of the law on being sentenced to pay a heavy fine and suffer imprisonment. At one time he had been a member of Edward III.'s council, and in that capacity had enriched himself and his friends at the expense of the nation.)

A cry was raised in London that night against the Flemings, and many of these industrious aliens, whose only offence was the employment of cheap labour, were put to death, denied even the right of sanctuary when they fled to the altar of the church of the Austin Friars. The houses of certain unpopular citizens were also fired, and it went hard with all who refused to shout for "King Richard and the Commons."

But Tyler gave no sanction to the attack on the Flemings, and though the London mob took the law

into its own hands and dealt roughly with those whom it disliked, there is no evidence of general rioting and disorder. To the end the peasant folk in London remembered the brotherhood John Ball had proclaimed, and respected their fellows, and their good order is a lasting tribute to their leaders.

Tyler, with the bulk of the men of Kent and Surrey, remained in the city, and the king hearing of what had happened at the Tower, decided to pass the night at the Wardrobe, by St. Paul's, whither his mother had gone when the Tower was invaded.

Tyler, in spite of all that had been obtained at Mile End, was not satisfied. The peasants and serfs had been freed by royal warrant, but the landlords remained in possession of power, and there was no promise of better government, no word as to the restoration of the old common rights in the land, or the repeal of the savage forest laws. Reforms had been won, but the changes were not strong enough to ensure a social revolution.

Once more, on the Saturday, June 15th, Richard was invited to meet his subjects, and again he declared his willingness, summoning his commons by proclamation to meet him that afternoon at Smithfield, in the square outside St. Bartholomew's Priory.

It seemed on the morning of June 15th as though the rising had succeeded triumphantly. The peasants had their charters of manumission, the nobles were thoroughly alarmed and cowed, the soldiery powerless, and Wat Tyler and his men still held the City of London.

Holding such an advantage, Tyler determined to make the king decree further reforms, and when the

two met at Smithfield, the confidence of victory could be seen in the peasant leader's bearing.

Richard, with two hundred retainers, and with Henry, Earl of Derby, the Earls of Suffolk and Salisbury, Sir Simon Burley, and Walworth, the mayor, were on the east side of the square, the great priory at their back.

Tyler and his army drew up on the west side, and when Walworth opened the proceedings by calling on Wat Tyler to speak with the king, Tyler, seated on a little horse, rode out into the middle of the square with a single attendant. There he dismounted, dropped on one knee before the king, and shook him heartily by the hand. He bade Richard be of good cheer, and declared that within a fortnight he should have even more thanks from the commons than he had won already. "You and I shall be good comrades yet," Tyler added.

Richard, in some embarrassment, enquired why the commons did not return home, and Tyler answered with a great and solemn oath that no one should leave the city until they had got a further redressing of all their grievances. "And much the worse will it be for the lords of this realm if this charter be refused," he concluded.

Then Richard bade Tyler say what charter it was the commons demanded.

"First, then," said Tyler, "let no law but the law of Winchester prevail throughout the land, and let no man be made an outlaw by the decree of judges and lawyers.<sup>1</sup> Grant also that no lord shall hence-

<sup>1</sup> This law of Winchester was the statute of Edward I., 1285, which authorised local authorities to appoint constables and preserve the peace. Tyler's aim was to strengthen local government in the counties, making them as far as possible self-governing communes.

forth exercise lordship over the commons ; and since we are oppressed by so vast a horde of bishops and clerks, let there be but one bishop in England ; and let the property and goods of the holy Church be divided fairly according to the needs of the people in each parish, after in justice making suitable provision for the present clergy and monks. Finally, let there be no more villeins in England, but grant us all to be free and of one condition."

"All that you have asked for I promise readily," Richard answered, "if only it be consistent with the regality of my crown. And now let the commons return home since their requests have been granted."

In the presence of his nobles and the hearing of his people the king had promised that the demands of his subjects should be granted.

For Wat Tyler the victory seemed complete, and now that the battle was won he called out that he was thirsty, and complained of a parched throat. The days had been strenuous, and Tyler longed for a draught of the good home-brewed beer of his native county. His attendant brought him water, and Tyler rinsed out his mouth with it, to the disgust of the king's courtiers. Then beer was brought in a mighty tankard, and Tyler drank a deep draught to the health of "King Richard and the Commons." He remounted his little horse, while the nobles stood by in silent and sullen anger, "for no lord or counsellor dared to open his mouth and give an answer to the commons in such a situation." Had they not heard it proclaimed that henceforth all were to be free and equal in the land?

A "valet of Kent," some knight in the royal

service, broke silence, muttering loudly his opinion that Wat Tyler was the greatest thief and robber in all Kent.

Tyler caught the abusive words, and immediately ordered his attendant to cut down the man who had spoken in this insulting fashion.

The "valet" edged back within the ranks of the king's party, and Tyler drew his dagger. Walworth, sharing to the full the rage of the nobles at the capitulation of the king, and yet anxious to avoid a conflict, shouted that he would arrest all those who drew weapons in the royal presence. Tyler struck impatiently at Walworth, but the blow was harmless, for the mayor had armour on beneath his jerkin.

Before Tyler could defend himself the mayor retaliated. Drawing a short cutlass he slashed at Tyler, wounding him in the neck so that he fell from his horse. And with the fall of their leader fell all the promised liberties of the peasants, and the rising collapsed.

Two knights, Ralph Standish and another, plunged their swords into him while he was on the ground. Still, mortally wounded though he was, Tyler managed to scramble on to his little horse. He rode a yard or two, gave a last call on the commons to avenge his death, and then dropped to the ground to rise no more.

Had the commons at once attacked the king's party, they would have conquered. But confusion fell upon the people, and there was no one ready to take command. "Let us stand together," "We will die with our captain or avenge him," "Shoot, lads, shoot,"—the various cries went up, and the bowmen looked to their weapons.

But Richard, with the presence of mind that marked his dealings with the people at Mile End, turned the doubt and uncertainty to his own advantage. He rode out boldly into the middle of the square, reminded the people that he, and not Tyler, was their king, and bade them follow him into the fields and receive their charters.

There was no reason to refuse obedience, no reason to mistrust the king. Tyler had always spoken well of Richard, and the people themselves had seen him only yesterday sign their charters, and had heard him in Tyler's presence, only a few minutes ago, promise to do the will of the commons. It was not by the king's hand that their leader had been slain.

A small band carried Tyler's body into the Priory of St. Bartholomew, while the rest of the peasants followed Richard into the fields that stretched from Clerkenwell to Islington. Here he held them until Sir Robert Knolles arrived with 700 soldiers, for Walworth had lost no time in spreading the news that Tyler was dead, and in raising a troop for the king. By Richard's orders the commons were dispersed when the soldiery arrived, the men of Kent, now broken and dispirited, being marched through the city, and left to take their way home.

That very night Walworth and Standish were knighted for what they had done, and in the morning Wat Tyler's head stared horribly from London Bridge.

"My son, what sorrow I have suffered for thee this day," cried the king's mother, when Richard came to the Wardrobe.

"I know it well, madam," answered the king;

"but rejoice with me now, and thank God that I have this day won back my heritage of England, so nearly lost."

The great uprising was over. Wat Tyler had fallen, as it seemed, in the very hour of victory.

By Walworth's orders, Jack Straw and two prominent men of Kent were hanged on the night of June 15th, without the formality of trial. Jack Straw, an itinerant priest sharing John Ball's views, it is said, explained before he died what had been in the minds of the leaders of the revolt. They had meant to get rid of the supremacy of the landlords altogether, and to substitute for the established clergy a voluntary ministry of mendicant friars ; the boy-king was to be enlisted in the cause of the revolution before the monarchy was finally abolished ; and in place of parliament and royal council each county was to enjoy self-government.<sup>1</sup>

No longer in the presence of danger, the king and his ministers struck fiercely at the rebels.

On June 18th a general proclamation was issued ordering the arrest of all malefactors and the dispersal of all unruly gatherings. On June 22nd, Chief Justice Sir Robert Tressilian went on assize, and "showed mercy to none and made great havock." John Ball was taken at Coventry and, with Grindcobbe, hanged at St. Albans on July 15th.

The Earl of Suffolk went down to Suffolk with 500 lances on June 23rd, and John Wraw, with twenty others, including four beneficed clergy, was quickly taken and hanged. Henry Despenser,

<sup>1</sup> "It was in the preaching of John Ball that England first listened to the knell of feudalism, and the declaration of the rights of man."—J. R. Green.

Bishop of Norwich, grandson of Edward III.'s minister, suppressed the rising in Norfolk, and walked beside Litster to the gallows.

At least a thousand peasant lives were sacrificed to the law under Tressilian's sentence.

At Waltham a deputation came to Richard to ask if it were true that the royal promises and charters were annulled, and the king's answer left no room for doubt, for it breathed all the hatred and contempt of the commons that Tyler had striven to end :

" O vile and odious by land and sea, you who are not worthy to live when compared with the lords whom ye have attacked ; you should be forthwith punished with the vilest deaths were it not for the office ye bear. Go back to your comrades and bear the king's answer. You were and are rustics, and shall remain in bondage, not that of old, but in one infinitely worse. For as long as we live, and by God's help rule over this realm, we will attempt by all our faculties, powers, and means to make you such an example of offence to the heirs of your servitude as that they may have you before their eyes, and you may supply them with a perpetual ground for cursing and fearing you."

In despair at this rough ending to all their cherished hopes of freedom, the Essex peasants made a last attempt to fight for liberty, and on June 28th, at Great Baddow and Billericay, more than 500 fell before the king's soldiery.

On July 2nd all the charters of manumission and royal pardons were declared formally annulled, and sheriffs were strictly forbidden to release any prisoners. It was not till August 30th an amnesty was granted to those suspected of taking part in the

rising. In the autumn parliament refused to ratify the charters, and the lawyers declared that without the consent of parliament the charters were illegal.

So there was an end to all Wat Tyler and the peasants had risen to obtain, and well might it seem that the rising had been in vain.<sup>1</sup>

Yet it was not altogether in vain that John Ball had rung his bell and died for his faith, that Wat Tyler had led the peasant folk of Kent to do battle for freedom. The poll-tax was stopped for one thing. And villeinage was doomed. "The landlords gave up the practice of demanding base services; they let their lands to leasehold tenants, and accepted money payments in lieu of labour; they ceased to recall the emancipated labourer into serfdom or to oppose his assertion of right in the courts of the manor and the county." (W. Stubbs.)

The great uprising brought out the desire for personal liberty in the labouring people of England that has never since been utterly quenched. It was the first insistence that peasants and serfs were men of England. "It taught the king's officers and gentle folks that they must treat the peasants like men if they wished them to behave quietly, and it led most landlords to set free their bondsmen, and to take fixed money payments instead of uncertain services from their customary tenants, so that in a hundred years' time there were very few bondsmen left in England." (F. York Powell.)

If Wat Tyler died as a man should for the cause he loves, few of those who trampled on the cause of

<sup>1</sup> "Observe how fortunate matters turned out, for had the rebels succeeded in their intentions they would have destroyed the whole nobility of England, and after their success other countries would have rebelled."—Froissart.

the peasants were to know the paths of peace in later years.

Richard died in prison at the hands of Henry Bolingbroke, John of Gaunt's son, whom Tyler had let depart in safety when the Savoy was in flames. The Earls of Suffolk and Warwick died exiled fugitives. The Earl of Salisbury, fleeing from Henry V., was hanged in the streets of Cirencester. Chief Justice Tressilian was hanged for a traitor in 1387, and Sir Simon Burley was beheaded.

This worldly wealth is nought perseverant  
Nor ever abides it in stabilitie.

# Jack Cade, the Captain of Kent

1450

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JOSEPH CLAYTON

## JACK CADE, THE CAPTAIN OF KENT

1450

THE rising of the commons of Kent in 1450 under their captain, Jack Cade, was the protest of people—sick of the misrule at home and of the mismanagement of affairs abroad—driven to take up arms against an incapable government that would not heed gentler measures.

It was not such a peasant revolt as Wat Tyler had led, this rising of the fifteenth century. It was largely the work of men of some local importance, and country squires were active in enrolling men, employing the parish constable for that purpose in a good many parishes.<sup>1</sup>

For years discontent had been rife. Henry VI., a weak, religious man, more fit for the cloister than the throne, had lost the great statesmen of the early years of his reign. The Duke of Bedford, good Duke Humphrey of Gloucester, and Cardinal Beaufort were all dead, and Richard, Duke of York, by far the ablest man left among the nobles, had been banished to the government of Ireland. The Duke of Suffolk became the chief minister of the crown in 1445, and all the disasters of the war in France and of corrupt maladministration in England were laid at his door. Suffolk was responsible for the king's marriage with the penniless princess, Margaret of

<sup>1</sup> See Durrant Cooper—*John Cade's Followers in Kent*.

Anjou, who, ambitious and self-willed, proved the worst possible counsellor for Henry. And the price of this marriage was the territories of Anjou and Maine, which were ceded to Margaret's father, besides a heavy tax of one-fifteenth of all incomes demanded by Suffolk in payment for his expenses in arranging and carrying out the undesirable wedding. The years of Suffolk's ministry saw nothing but defeat and disgrace as the hundred years' war with France drew to its end. The victories of Edward III. and Henry V., and all the wealth of life and treasure poured out so lavishly by England, had come to nothing, and by 1451 all France save Calais was lost. Popular discontent turned to action early in 1450 against Suffolk and his fellow ministers. At the opening of parliament Suffolk was impeached as a traitor, along with Lord Say-and-Selby, the treasurer, and Ayscough, Bishop of Salisbury; and Suffolk, without even demanding a trial by his peers, threw himself on the king's mercy. Henry was satisfied with the banishment of his fallen minister for five years; but when Suffolk went on board, the sailors of the vessel that was to take him across seas decreed a capital sentence, and after a rough court-martial trial the Duke of Suffolk was beheaded on May 2nd in a small boat off the coast of Dover, and his body left on the sands. Four months earlier, Moleyns, Bishop of Chichester, who had only just resigned the keepership of the Privy Seal, and was known as a supporter of Suffolk's, had been slain by the sailors of Portsmouth, when he arrived at that town with arrears of pay long overdue to the troops. Ayscough, Bishop of Salisbury, survived till the end of June, and then, at the time when Cade was march-

ing on London, he was dragged away from the very altar of Erdington Church, in Wiltshire, when he had said mass, and put to death on a hill there by the infuriated people of his diocese.<sup>1</sup>

Widespread as the discontent was in 1450, there was no general movement throughout the land as in the days when John Ball and his companions bound the peasants together by village clubs. Kent, "impatient in wrongs, disdaining of too much oppression, and ever desirous of new change and new fangleness," was well organised for revolt, and the men of Surrey and Sussex were ready to bear arms with Cade. Outside these counties no one is found to have taken the lead against the government. Kent and Sussex had their own reasons for revolt, for piracy swept the English Channel unchecked, and the highways were infested with robbers—soldiers broken in the war ; and they had their leader—Mortimer, whom some called " John Mendall " and others, later, Jack Cade. So by the end of May a full list of grievances and necessary reforms was drawn up, and the commons of Kent had, for the second time in history, risen in arms and encamped on Blackheath, resolute to get redress from the king for their injuries.

The success of democratic revolt depends largely on the clear courage of its leaders and the complete confidence of the people in those they elect for their captains. In 1450 Jack Cade proved himself both

<sup>1</sup> "These two bishops were wonder covetous men, evil beloved among the common people and holden suspect of many defaults ; assenting and willing to the death of the Duke of Gloucester, as it were said."—(*A Chronicle of Henry VI*). According to Gascoigne—*Loci e Libro Veritatum*—the people said of Ayscough : " He always kept with the king and was his confessor, and did not reside in his own diocese of Sarum with us, nor maintain hospitality."

clear-headed and brave, and the men of Kent followed him whole-heartedly.

To this day we are still in the dark as to the real name and family of the Captain of Kent. He was known popularly as "Mortimer," and was so described in the "pardon" he received. He was a man of some property, or he would not have been attainted by special act of parliament, nor have enjoyed the confidence of the men of substance who accepted his generalship. He was known as an Irishman and as a soldier in the French wars, and it is likely enough that he served under the Duke of York both in France and Ireland. His strong advocacy of the claims of York favours the notion of kinsmanship; but, on the other hand, York was by far the ablest statesman of the day, and to demand his recall to the king's council was no guarantee of family motives.

There was some talk at the time that Cade was called John Aylesmere, and that he was married to the daughter of a Surrey squire at Taundede. But there is no more evidence for these things than for the charges made against him in the warrant for his arrest, that he had once killed a woman in Sussex and had then fled to France and fought with the French arms.

The undisputed high character of Cade's followers is all against the portrait painted by the government after his death; when, anxious to blacken the good name of so resolute a leader, it was made out that he was merely a disreputable ruffian. The land-owners of Kent and Sussex would never have accepted for their captain a mere swashbuckling blackguard. They rallied to him as a Mortimer,

seeing in him a likeness to Richard, Duke of York.<sup>1</sup> If his real name was Cade, then he was probably a squire or yeoman, for Cade was no uncommon name round Mayfield and Heathfield in Sussex, and Cades were landed proprietors near Reigate as late as the seventeenth century.

It was enough that, chosen Captain of Kent, Cade, or Mortimer, was known and trusted as a brave, upright man of good character and ability.<sup>2</sup> Whether descended from nobles or of good Sussex stock was a small matter to men in earnest for the changes and reforms the country needed.

Ashford was the heart of the rising, and from Ashford the host marched to Blackheath, where, at the beginning of June, the camp was fixed. The army, estimated at 46,000, included 18 esquires, 74 county gentlemen, and some five clerks in holy orders, who were presently joined by the Abbot of Battle, the Prior of Lewes, and twenty-three county gentlemen from Sussex.

Cade at once explained that they must deal directly with the king if they were to get relief from their present burdens, and then set to work to draw up the bill of "the complaint and requests" of the commons of Kent, while the rank and file laboured "to dyke and stake the camp all about, as it had been in the land of war."

But war had not yet been declared, and for the

<sup>1</sup> "He himself asserted that he had been a captain under the Duke of York, and that his real name was Mortimer, which may possibly have been true, for there were several illegitimate branches of the house of March."—Professor Oman, *Political History of England*.

<sup>2</sup> "A young man of a godly nature and right pregnant of wit."—Holinshed. Shakspeare's farcical account of the rising in *King Henry VI.*, Part II., is, of course, entirely misleading.—See the author's *True Story of Jack Cade*.

present discipline was loose in the camp at Blackheath.<sup>1</sup> "As good was Jack Robin as John at the Noke, for all were as high as pig's feet; until the time that they should come and speak with such states and messengers as were sent unto them. Then they put all their power into the man that was named captain of all their host."

On June 7th the king was at Smithfield with 20,000 soldiers, and messengers were promptly despatched to Blackheath to know the meaning of the insurrection. Cade answered by showing the petition he had drawn up, and mentioned that they had assembled "to redress and reform the wrongs that were done in the realm, and to withstand the malice of them that were destroyers of the common profit, and to correct and amend the defaults of them that were the king's chief counsellors." He then sent off the "bill of complaints" to the king and to the parliament then sitting at Westminster, "and requested to have answer thereof again, but answer he had none." The "complaint" was received with contempt, and the opinion of the king's counsellors was that "such proud rebels should rather be suppressed and tamed with violence and force than with fair words or amicable answer."

Yet "the complaint," which consisted of fifteen articles, was no revolutionary document. It contained protests against the royal threat to lay waste Kent in revenge for the death of the Duke of Suffolk; the diversion of the royal revenue raised by heavy taxation to "other men"; the banishment

<sup>1</sup> See the letter of John Payne in the *Paston Letters*. But Payne wrote fifteen years afterwards, and seems to have been a person of no very scrupulous honesty.

of the Duke of York "to make room for unworthy ministers who would not do justice by law, but demanded bribes and gifts"; the purveyance of goods for the royal household without payment; the arrest and imprisonment on false charges of treason of persons whose goods and lands were subsequently seized by the king's servants, who then "either compassed their deaths or kept them in prison while they got possession of their property by royal grant"; the interference with the old right of free election of knights of the shire by "the great rulers of the country sending letters to enforce their tenants and other people to choose other persons than the common will is to elect"; the misconduct of the war in France, demanding inquiry and the punishment by law of those found guilty. Complaint was also made of various local grievances—the insecurity of property, the arbitrary conduct of the lords of the seaports, the extortion in taxation owing to sheriffs and under-sheriffs farming their offices, the fines exacted by sheriffs for non-compliance with the orders of the court of exchequer (whose writs were sealed with green wax) when no summons or warning had been given, and the "sore expense" incurred by there being only one Court of Sessions in the whole county.

Five "requests" were added to the bill of complaints. These expressed the desire of the commons that the king should reign "like a king royal"; that "all the false progeny and affinity of the Duke of Suffolk" should be banished from the king's presence and brought to trial, and the Duke of York and his friends included in the royal council; that punishment should be meted out to those responsible

for the death of the Duke of Gloucester ; that the extortions practised daily by the king's servants in the taking of goods from the people should cease ; that the old Statute of Labourers for keeping down wages should be abolished ; and that the "false traitors" and "great extortioners," Lord Say and Crowmer, the sheriff of Kent, should be brought low.

In brief, the charter of the commons of Kent demanded the total expulsion of all Suffolk's ministers and relatives from public service, the return of the Duke of York and his party to power, the suppression of the bribery, corruption, and extortion practised by the sheriffs and government servants, and the repeal of the Statute of Labourers.

It would have been well if Henry had heeded these complaints and requests. As it was he pushed on to Blackheath, in spite of murmuring in his army, and Cade, unwilling to risk a battle, and knowing that disaffection was at work in London, quietly withdrew to Sevenoaks. There was no spirit in the royal troops to suppress the rising, and many favoured the Captain of Kent. But two knights, Sir Humfrey Stafford and Sir William Stafford, kinsmen of the Duke of Buckingham and the Archbishop of Canterbury, and men of some military repute, decided to pursue the rebels and advanced to Sevenoaks with a small picked body of soldiers. Their defeat was complete. Both knights were slain, and those of their men who were not cut to pieces fled from the battle, or joined Cade's host.

The result of this disaster to the royal plans was that Henry returned to London with an army that soon melted away, or broke into open disorder. Many of the nobles, who on receipt of the petition of

the commons of Kent had called for violent measures against the rebels, now left the king, and, with their retainers, rode to their country estates. Henry, to appease the clamour of some of his own followers, ordered the arrest of Lord Say-and-Sele, the king's treasurer, and of Sheriff Crowmer, and bade officers take them to the Tower. Parliament was dissolved, and Cade was busy in Kent gathering reinforcements, and doing what he could to repair locally the mischief of Suffolk's rule before proceeding to London.<sup>1</sup>

As a last resource, Henry decided to treat with Cade by ambassadors, and on June 29th, when the commons were again encamped on Blackheath, came the Duke of Buckingham, and Stafford, Archbishop of Canterbury, for many years the king's chancellor—a gentle old man, who, if he had made no stand against the misgovernment himself, was hardly to be blamed—to arrange, if possible, a peaceful settlement.

The conference came to nothing, for neither Buckingham nor the archbishop could promise Cade any positive redress of grievances, or the interview he sought with the king.

"These lords found him sober in talk, wise in reasoning, arrogant in heart, and stiff in opinions; one who that by no means would dissolve his army, except the king in person would come to him, and assent to the things he would require" (Holinshed.)

The failure of the mission was reported, and Henry, after appointing Lord Scales as guardian of

<sup>1</sup> A special act of parliament was passed in 1452 to cancel all that Cade had accomplished.

the prisoners in the Tower, hastily fled to Kenilworth, although the lord mayor and citizens of London promised to stand by him if he would remain in the city. There was little of sovereignty in Henry VI., son of Henry V., the conqueror of Agincourt. Quiet he loved, and in religious exercises he found the satisfaction that others found in war and statecraft.

On the first of July the way was open for the commons to enter London. Suffolk, Bishop Moleyns, and Bishop Ayscough had all been summarily executed. Lord Say, the treasurer, alone remained of the discredited ministers. No opposition was offered to Cade by the citizens of London. The Common Council had discussed the rising, and at the Guildhall only one dissentient voice had been raised to the admission of the Captain of Kent to the city. One Horne, a stock-fishmonger and alderman, alone objected to any recognition of the unlawful assembly of the commons, and he was sent to Newgate prison for safety, and on Cade's entry fined 500 marks for his daring speech.

Negotiations had been opened between the City Council and the commons while the latter were at Blackheath, and Thomas Cocke (or Cooke),<sup>1</sup> a past warden of the Drapers' Company, acted as the mutual friend of both parties. From Cocke the corporation learnt of Cade's purposes, and that the city stood in no danger from the rising ; and it was

<sup>1</sup> Cocke was a well-known supporter of Henry VI. and a man of note. He was sheriff of London 1453, alderman in 1456, and mayor and M.P. 1462-3. Knighted by Henry in 1465, he fell from his high estate when Edward IV. was king, and languished in prison on a charge of high treason, only escaping with his life on payment of £8,000.

Cocke who carried instructions from Cade to the wealthy foreign merchants, requiring them to furnish horses, arms and money for his army.

“Ye shall charge all Lombards and strangers, being merchants, Genoese, Venetians, Florentines and others this day to draw them together: and to ordain for us, the captain, twelve [sets of] harness complete, of the best fashion, twenty-four brigandines, twelve battle-axes, twelve glaves, six horses with saddle and bridle completely harnessed, and 1,000 marks of ready money.”

So ran the summons, which was duly obeyed.<sup>1</sup> For Cade had added the stern warning that “if this demand be not observed and done, we shall have the heads of as many as we can get of them.”

The corporation had really no choice but to welcome Cade. Kings and nobles had fled, and here was the Captain of Kent with 50,000 men come to do justice at their gates. London had suffered as badly as any place from the misgovernment of the country, and it was plain the commons of Kent were no army of mauraunders, for no complaint had been heard of their ill doing in Kent, and their captain had treated with full civility the Duke of Buckingham and Archbishop Stafford.

So the keys of the city were presented to Cade, and at five o'clock on the 2nd of July the Captain of Kent, mounted on a good horse, rode across London Bridge, followed by all his army. In Cannon Street, in the presence of Sir John Chalton, the Lord Mayor, and a great multitude of people, Cade laid

<sup>1</sup> “What answer to this demand was returned I find not, but like it is the same was granted and performed; for I find not the said captain and Kentishmen at their being in the city to have hurt any stranger.”—Stow.

down his sword on the old London Stone and declared proudly, "Now is Mortimer lord of this city." At nightfall he returned to his headquarters, the White Hart, a famous inn in Southwark, and next morning was betimes in the city. That day sentence was passed on Lord Say-and-Sel and on his son-in-law, Sheriff Crowmer. They were removed from the Tower by Cade's orders, taken to the Guildhall, tried and condemned for "divers treasons," and for "certain extortions," and executed forthwith. Say was beheaded at the standard in Cheapside, and Crowmer at Mile End, and so bitter was the public feeling against these two men, and so fierce the popular hatred, that their heads were carried on poles through the city, and made to kiss in ghastly embrace before being placed on London Bridge.

These, with a third man named John Bailey, who was hanged with Cade's permission for being a necromancer and a dabbler in magic and the black arts, were the only persons put to death while Mortimer was lord of the city. At Southwark, where the commons were now encamped, as at Blackheath, theft in the popular army was treated as a capital offence, and two or three "lawless men" were hanged. It was inevitable if discipline and good order were to be obtained in so vast a company that punishment should follow sharp and swift on all who brought discredit on the rising.

Lord Say and Sheriff Crowmer being dead, the city fathers saw no further purpose in Cade's lordship, and they dreaded being called upon to contribute to the support of his army, for they knew that Cade needed money for his men. To the everlasting credit of the commons no charge was laid against

them of riot or disorder. The city was in their hands for three days, yet no harm befell the citizens. On their captain alone has blame fallen for the events of those days in July.

The difficulties of the man were immense. He had rendered no mean service to the state by calling attention to the ills that plagued the country, and proposing remedies. He had roused a large body of Englishmen to demand a better government, and by the sharp method of the times he had got rid of a bad minister and a corrupt sheriff, so that public life was at least the healthier for the deliverance from two of its oppressors. And now he had this army of 50,000 men, all needing food and shelter—an orderly, well-disciplined body, no mob of mercenaries—and the city of London, with all its wealth, gave him nothing.

Cade had to get supplies. The commons of Kent could not live on the good will of the London people. Their captain was forced to levy toll where he could. At present all he had received was the tribute from the foreign merchants and 500 marks from the fish-monger Horne.

On July 3rd, the night of Say's execution, Cade supped with Philip Malpas, Cocke's father-in-law. Malpas was one of Suffolk's party, a King Henry's man, unpopular in the city, and though an alderman and a draper, an expelled member of the city council. Warned by Cocke, Malpas got rid of his valuables before Cade arrived. But the Captain of Kent found certain jewels belonging to the Duke of York in the house, and these he carried off.<sup>1</sup>

<sup>1</sup> When, by order of the Privy Council, the Exchequer seized all Cade's goods, these jewels were sold with the rest. They fetched £114, and a payment of £86 7s. was subsequently made to the Duke of York. So the crown made some profit on the transaction, but Malpas was unrecompensed.—See Devon's *Exchequer Rolls*.

The following night Cade supped with a merchant named Curtis (Ghirstis according to Fabyan, Girste according to Stow) in the parish of St. Margaret Pattens and before he left insisted on a contribution to the war chest. Curtis paid, but he resented bitterly the abuse of his hospitality. It seemed to him, as it seemed to his fellow merchants to whom he told the tale of his wrongs, sheer robbery, and the following morning (Sunday, July 5th), while Cade rested quietly at the White Hart in Southwark, the city fathers were busy shaking their heads over the business, and grave anxiety filled their minds. This might be but the beginning of pillage ; there were always materials in London for a riot, apart from Cade's army.

"And for this the hearts of the citizens fell from him, and every thrifty man was afraid to be served in like wise, for there was many a man in London that awaited and would fain have seen a common robbery" (Stow).<sup>1</sup>

In the course of the day mayor and corporation were in consultation with Lord Scales, the Governor of the Tower, with the result that decision was made to prevent Cade and the commons from re-entering the city. London Bridge was at once seized and fortified by the citizens, and Matthew Gough, a distinguished soldier in the French wars, was placed in command.

Cade, knowing nothing of the hostility he had created, took his ease that day—it was the last peaceful Sabbath he was to know. Towards even-

<sup>1</sup> "Whereof he lost the people's favour and hearts. For it was to be thought if he had not executed that robbery he might have gone far and brought his purpose to good effect."—Fabyan.

ing he gave orders for the King's Bench and Marshalsea prisons to be opened, and their inmates—for the most part victims of official extortion and injustice—to be released. This was done, and certain "lawless men" convicted of disobedience were haled off to be hanged; to the end there was no relaxing of discipline.

Then came word that the passage of London Bridge was stopped, and the right of entry to the city barred against the commons as against a foe. Cade took this as a declaration of war, of the civil war he had done his best to prevent, and sallied out to force an entrance. At nine o'clock the battle began on the bridge, and all through the short summer night it raged, neither side effecting victory. "For some time the Londoners were beat back to the stulpes at St. Magnus corner, and suddenly again the rebels were repulsed and driven back to the stulpes at Southwark." It was not till nine o'clock on Monday morning that the commons, wearied and disheartened, fell back from the fray, and Cade understood that the attack had failed, and that for the first time since the assembling of the people on Blackheath, at the end of May, a check had been given to the democratic movement. A hasty truce was settled between Cade and the mayor, that while the truce lasted the commons should not cross into London nor the citizens into Southwark. Cardinal Kemp, Archbishop of York, the king's chancellor, who with old Archbishop Stafford had been left undisturbed in the Tower since the king's ignominious flight, immediately decided that the time had come to arrange a settlement with the Captain of Kent.

Kemp sent messengers that day to the White Hart, asking Cade to meet the representatives of the king, "to the end that the civil commotions and disturbances might cease and tranquility be restored," and Cade consented.

Kemp, who had himself presided at the trial and condemnation of Suffolk, brought to the conference, which was held in the church of St. Margaret, Southwark,<sup>1</sup> on July 7th, Archbishop Stafford and William Waynfleet, Bishop of Winchester. The chancellor, bent on making peace, also brought pardons to all concerned, duly signed and sealed. He listened courteously to Cade's "complaints" and "requests," received the petition, promised it should have the full consideration of parliament, and then announced a full pardon to all who should return home.

The proposals of the bishops won the general approval of the commons. There was nothing to be gained, it seemed, by remaining in arms, now they had won a promise that their charter should come before parliament.

Cade alone hesitated. What if parliament should disavow these "pardons," and the commons be treated as the peasants were treated when they trusted a king's word? He asked for the endorsement of his own pardon, and the pardons of his followers, by parliament before his army dispersed. Chancellor Kemp explained that this was impossible, because parliament was dissolved. The people were satisfied with the cardinal's word. The rising was at an end.

<sup>1</sup> This church has long been pulled down. It was absorbed into St. Saviour's parish the following year. St. Margaret's Hill is now part of High Street, Borough, and the present St. George's Church stands near the site of old St. Margaret's Church.

The following day the bulk of the commons departed from Southwark for their farms and cottages in Kent and Surrey and Sussex. Cade watched them go. His own mind was made up. Not till parliament should give him a pardon of indisputable legality would he lay down his arms. With a small band of followers he set off for Rochester, sending what goods and provisions he had by water.

The rising was at an end, and nothing more was heard in parliament, or elsewhere, of the famous charter of "complaints" and "requests."

With the break-up of the insurgent army, the government woke to activity. Alexander Iden was appointed sheriff of Kent, and marrying Crowmer's widow, subsequently gained considerable profit. Within a week the king's writ and proclamation, declaring John Cade a false traitor, was posted throughout the countryside, and Cade, defeated in an attempt to get possession of Queenborough Castle, was a fugitive with the reward of 1,000 marks on his head, alive or dead, and with Sheriff Iden in hot pursuit.

Near Heathfield, in Sussex, Iden came up with his prey, early on Monday, July 13th.

Cade died fighting. A broken man, worn and famished, friendless and alone, he still had his sword. The spirit of Mortimer, Captain of Kent, flickered up in the presence of his enemies—it were better to die sword in hand fighting for freedom than to perish basely by the hangman. So Cade fought his last fight in the Sussex garden, and fell mortally wounded, overpowered by the sheriff and his men.

In all haste Iden sent off the dead body to London; it was identified by the hostess of the White Hart, and three days later the head was stuck on London Bridge. The body was quartered and portions sent to Blackheath, Norwich, Salisbury, and Gloucester, for public exposure. The sheriffs of London, upon whom the gruesome task fell of despatching these remains, complained bitterly of the cost of this proceeding, "because that hardly any persons durst nor would take upon them the carriage for doubt of their lives."<sup>1</sup>

Iden got his 1,000 marks reward, besides getting the governorship of Rochester Castle, at a salary of £36 per annum.

Cade was "attainted of treason" by act of parliament, and all his goods, lands, and tenements made forfeit to the crown. A year later another act of parliament made void all that had been done by Cade's authority during the rising.

In January, 1451, Henry VI. went into Kent with his justices, and this royal visitation was known as the harvest of heads; for in spite of Cardinal Kemp's pardons, twenty-six men of Canterbury and Rochester implicated in the rising were hanged.

So the last echoes of the rising died away, and corruption and misgovernment remained. But the commons of Kent and their captain had done what they could, and in the only way that seemed possible, to get justice done, and their failure was without dishonour.

<sup>1</sup> *Acts of Privy Council*, 1451.

# Sir Thomas More and the Freedom of Conscience

1529-1535

AUTHORITIES: William Roper—*Life of Sir Thomas More*, 1626; Harpsfield—*Life of More* (Harleian MSS.); Stapleton—*Ires Thomæ*, 1588; Cresacre More—*Life of More*, 1627; Erasmus—*Epistolæ* (Leyden, 1706); Sir James Mackintosh—*Life of More*, 1844; Campbell—*Lives of the Chancellors*; Foss—*Lives of the Judges*; *Calendar of State Papers—Henry VIII.*, edited by Dr. Brewer and Dr. Gairdner (Rolls Series); *More's English Works*, edited by William Rastell; Rev. T. E. Bridgett—*Life of Blessed John Fisher*, and *Life and Writings of Sir Thomas More*, 1891.

# SIR THOMAS MORE AND THE FREEDOM OF CONSCIENCE

1529-1535.

“ **D**ID Nature ever frame a sweeter, happier character than that of More ? ”—so Erasmus wrote in 1498, when Thomas More was twenty, and Erasmus, recently come to England, some ten years older. It was at the beginning of their friendship, a friendship that was to last unbroken till death,<sup>1</sup> and More had then passed from the household of Cardinal Morton to Oxford, and from Oxford to Lincoln’s Inn, to take up his father’s calling and follow the law as a barrister.

Twenty years later Erasmus, writing at length to Ulrich von Hutten, gives us a portrait of More in full manhood. Temperance, simplicity, human affection, good humour, independence of mind—these qualities are conspicuous.

“ I never saw anyone so indifferent about food. Until he was a young man he delighted in drinking water, but that was natural to him. Yet, that he might not seem to be singular or unsociable, he would conceal his temperance from his guests by

<sup>1</sup> “ In the interests of truth, I must declare at the outset that I cannot find the very slightest foundation for the assertion of Stapleton, copied by Cresacre More and many others, that in the course of time their friendship cooled. Abundant proofs of the contrary will appear.”—Rev. T. E. Bridgett, *Life and Writings of Sir Thomas More*.

drinking the lightest beer, or often pure water, out of a pewter vessel."

"He prefers milk diet and fruits, and is especially fond of eggs. He would rather eat corned beef and coarse bread than what are called delicacies."

"He likes a simple dress, using neither silk nor purple nor chains of gold—except on state occasions. It is wonderful how careless he is of all that ceremony which most men identify with politeness. He neither requires it from others nor is anxious to use it himself, though when it is necessary, at interviews or banquets, he knows how to employ it. But he thinks it unmanly to waste time over such trifles."

"He seems born and fashioned for friendship, and is a most faithful and enduring friend. He is easy of access to all; but if he chances to get familiar with one whose vices will not brook correction, rather than a sudden breaking off, he gradually relaxes the intimacy and quietly drops it. He abhors games of tennis, dice, cards, and the like, by which most gentlemen kill time. Though he is rather too negligent of his own interests, no one is more diligent in behalf of his friends. So polite, and so sweet-mannered is he in company, that no one is too melancholy to be cheered by him. Since boyhood he has always so delighted in merriment that it seems to be part of his nature; yet his merriment is never turned into buffoonery."

"No one is less led by the opinions of the crowd, yet no one is less eccentric."

The friendship of More and Erasmus had ripened in those twenty years. In More's house, and at his instigation, Erasmus had written the *Praise of*

*Folly*,<sup>1</sup> and the great scholar watched with warm interest the famous career and the brilliant character of the man he loved so heartily.

More was already high in Henry VIII.'s favour when Erasmus could write that no one was less led by the opinions of the crowd, and more than once his independence and courage of mind had been proved in the twenty years that had passed.

Drawn at first to the monastic life, More had spent four years (1500-1504) with the Carthusians in Smithfield, "frequenting daily their spiritual exercises, but without any vow." Then it is plain to him that his vocation is not the priesthood, but marriage and public life, and he leaves the Charterhouse, and in 1505 is married and in Parliament.<sup>2</sup> But all his life the devotion to religion, and to the services of the Church, remain in More, and he is ascetic in the mortifications of the body till the spirit and the will ride supreme.

In the House of Commons More stood out against the exactions of Henry VII., and at once fell under the king's displeasure.

More's son-in-law, Roper, tells the story :

"In the time of King Henry the Seventh, More was made a burgess of the Parliament wherein was demanded by the king (as I have heard reported) about three-fifteenths, for the marriage of his eldest

<sup>1</sup> "Indeed, it was he who pushed me to write the *Praise of Folly*, that is to say, he made a camel frisk."—Erasmus to Ulrich von Hutten, 1519.

<sup>2</sup> "He had a purpose to be a priest, yet God had allotted him for another estate, not to live solitary, but that he might be a pattern to married men: how they should carefully bring up their children, how dearly they should love their wives, how they should employ their endeavour wholly for the good of their country, yet excellently perform the virtues of religious men, as piety, charity, humility, obedience and conjugal chastity."—Cresacre More.

daughter, that then should be Scottish Queen ; at the last debating whereof he made such arguments and reasons against, that the king's demands were thereby overthrown. So that one of the king's privy chamber being present thereat, brought word to the king out of the Parliament house that a beardless boy had disappointed all his purpose. Whereupon the king, conceiving great indignation towards him, could not be satisfied until he had some way revenged it. And forasmuch as he, nothing have, nothing could lose, his Grace devised a causeless quarrel against his father, keeping him in the Tower till he had made him pay a hundred pounds fine. . . . Had not the king soon after died, Sir Thomas More was determined to have gone over sea, thinking that being in the king's indignation, he could not live in England without great danger."

The grant from parliament to the king was reduced from £113,000 to £30,000 by More's action ; and if this action brought royal anger, it won for More the confidence of his fellow-citizens in London, so that we see him in the second year of Henry VIII. undersheriff for the city, and according to Erasmus and Roper, the most popular lawyer of the day. With all his legal business, and good income, More is never anxious after money. "While he was still dependent on his fees, he gave to all true and friendly counsel, considering their interests rather than his own ; he persuaded many to settle with their opponents as the cheaper course. If he could not induce them to act in that manner—for some men delight in litigation—he would still indicate the method that was least expensive."<sup>1</sup>

<sup>1</sup> Erasmus to Ulrich von Hutten.

More's rising reputation was bound to attract the notice of Henry VIII., for the king was alert in the early years of his reign to get good men at the court, and Wolsey, who had become chancellor on Archbishop Warham's retirement in 1515, was anxious to enlist More in the royal service. The court had no attractions for More, his embassies to Flanders and Calais, to settle trade disputes and difficulties with France, wearied him, and in 1516 he was engaged in finishing his *Utopia*. According to Roper, it was More's independence of mind that made the king force office at court upon him. A ship belonging to the pope, which had put into Southampton, was claimed by Henry as a forfeiture. More argued the case so clearly that the commissioners decided in the pope's favour, and the king at once declared he must have More in his service.

Then for the next twelve years Sir Thomas More enjoyed the royal favour and friendship. His promotion was rapid. Secretary of state, master of requests when the king was travelling, privy counsellor, under-treasurer, or chancellor of the exchequer—all these offices were filled. In 1521 More was knighted, in 1523 he was speaker of the House of Commons, and in 1525 chancellor of the Duchy of Lancaster.

Erasmus writes to Ulrich von Hutten in 1519 in praise of More's public work: "In serious matters no man's advice is more prized, and when the king wishes for recreation no man's conversation is more entertaining. Often there are matters deep and involved that demand a grave and prudent judge, and More unravels these questions in a way that gives satisfaction to both sides. Yet no one has

ever prevailed on him to receive a gift for his decision. Happy that commonwealth where kings appoint such officials! No pride has come to him with his high estate. With all the weight of state affairs he remembers his old friends, and returns from time to time to the books he loves so well. Whatever influence has come to him with his high office, whatever favour he enjoys with his wealthy king, he uses all for the good of the state and for the assistance of his friends. Ever fond of conferring benefits and wonderfully prone to pity, his disposition has grown with his power of indulging it. Some he helps with money, to others he gives protection, and others he recommends for promotion. When he can help in no other way he does it by his advice: no one is sent away dejected. You might well say that he had been appointed the public guardian of the distressed and needy."

If the cares of state did not cut off Sir Thomas More from assisting old acquaintances, they made great inroads into the home life he loved so well. He had married again on the death of his first wife, and his letters to his children, especially to his "most dear daughter, Margaret"—Roper's wife—are full of tenderness. He is anxious about the education of his children, and rejoices that his daughter shares his love for books. We find him writing to Margaret Roper just after her marriage in 1522:—

"I am therefore delighted to read that you have made up your mind to give yourself diligently to philosophy, and to make up by your earnestness in future for what you have lost in the past by neglect. My darling Margaret, I indeed have never found you idling, and your unusual learning in almost

every kind of literature shows that you have been making active progress. So I take your words as an example of the great modesty that makes you prefer to accuse yourself falsely of sloth rather than to boast of your diligence, unless your meaning is that you will give yourself so earnestly to study that your past history will seem like indolence by comparison. . . . Though I earnestly hope that you will devote the rest of your life to medical science and sacred literature, so that you may be well furnished for the whole scope of human life, which is to have a healthy soul in a healthy body, and I know that you have already laid the foundations of these studies, and there will be always opportunity to continue the building ; yet I am of opinion that you may with great advantage give some years of your yet flourishing youth to humane letters and liberal studies. . . . It would be a delight, my dear Margaret, to me to converse long with you on these matters, but I have just been interrupted and called away by the servants, who have brought in supper. I must have regard to others, else to sup is not so sweet as to talk with you."<sup>1</sup>

The close friend of Erasmus and Dean Colet, an accepted champion of the New Learning, More was naturally enthusiastic for education—for girls as for boys. He had written to Gunnell, for a time the tutor of his family :—

<sup>1</sup> "It is clear that Sir Thomas had a little Utopia of his own in his family. He was making an experiment in education, and he was delighted with its success. The fame of his learned daughters became European through the praises of Erasmus, and was so great in England that in 1529, when they were all married ladies, they were invited by the king to hold a kind of philosophical tournament in his presence. . . . More will ever stand foremost in the ranks of the defenders of female culture."—Rev. T. E. Bridgett, *Life and Writings of Sir Thomas More*.

“ Though I prefer learning, joined with virtue, to all the treasures of kings, yet renown for learning, when it is not united with a good life, is nothing else than splendid and notorious infamy : this would be especially the case in a woman. . . . Since erudition in woman is a new thing and a reproach to the sloth of men, many will gladly assail it and impute to literature what is really the fault of nature, thinking from<sup>2</sup> the vices of the learned to get their own ignorance esteemed as virtue. On the other hand if a woman (and this I desire and hope with you as the teacher for all my daughters) to eminent virtue should add an outwork of even moderate skill in literature, I think she will have more real profit than if she had obtained the riches of Croesus and the beauty of Helen.”

In this letter More goes on to speak of the profit of learning and the happiness of those who give themselves to it—“ possessing solid joy they will neither be puffed up by the empty praises of men nor dejected by evil tongues.”

“ These I consider the genuine fruits of learning, and though I admit that all literary men do not possess them, I would maintain that those who give themselves to study with such views (avoiding the precipices of pride and haughtiness, walking in the pleasant meadows of modesty, not dazzled at the sight of gold) will easily attain their end and become perfect. Nor do I think that the harvest will be much affected whether it is a man or a woman who sows the field. They both have the same human nature, which reason differentiates from those of beasts ; both therefore are equally suited for those studies for which reason is perfectioned, and becomes

fruitful like a ploughed land on which the seed of good lessons has been sown."

This strong love for wise learning, laying emphasis on a complete education—the training in virtue no less than the knowledge of letters—had its roots in More's character. The "genuine fruits of learning" ripen in his life and death. His wide toleration, which will blame no man for not taking the path he trod to martyrdom, is coupled inextricably with a refinement of conscience that cannot be sullied by a denial of his faith. The freedom of conscience Thomas More claimed for himself he most willingly allows to others. Just as the education he valued for himself he extends to all his children.

Standing largely aloof from the violent controversies Luther had started, hating the bitter intolerance and savage abuse of theological strife, refusing to be drawn into the deadly discussion of Henry VIII.'s divorce, Sir Thomas More is content to live in loyal devotion to his religion and to the service of the state, if haply he may. And when this is denied him he is content to die, retaining his tolerant good-humour and the love of his kind to the end, and without resentment at his fate.

The courage of the sage never failed Sir Thomas More in his public work. As "a beardless boy" he had resisted in parliament the king's extortions, as speaker of the House of Commons he protected the privileges of the commons. Wolsey had come down to the House with all his train to command a subsidy, but no word was uttered in reply to his address. In vain Wolsey appealed for an answer, Sir Thomas More could only declare that the speaker, then the mouthpiece of the commons, had nothing to say till

he had heard the opinion of the House. "Whereupon, the cardinal, displeased with Sir Thomas More that had not in this parliament in all things satisfied his desire, suddenly arose and departed."

High as More stood at that time in the affection of Henry, Sir Thomas knew the king, and the nature of the favour of princes. Roper relates that when he offered his congratulations, at the time of the appointment to the chancellorship of the Duchy of Lancaster, More answered, "I may tell thee I have no cause to be proud thereof, for if my head would win him a castle in France (for then was there war betwixt us) it should not fail to go."

Aware of Henry's character, More yet had no choice but to accept the lord chancellorship from the king on Wolsey's fall in 1529. It was no matter for personal satisfaction, and More's reply to the Duke of Norfolk was substantially the same as his previous answer to Roper: "Considering how wise and honourable a prelate had lately before taken so great a fall, he had no cause to rejoice in his new dignity." Erasmus wrote, "I do not at all congratulate More, nor literature; but I do indeed congratulate England, for a better or holier judge could not have been appointed."

On November 3rd, 1529, Sir Thomas More, as chancellor, opened parliament, and in a long speech declared that "the cause of its assembly was to reform such things as had been used or permitted by inadvertence, or by changes of time had become inexpedient." It was the opening of the seven years' parliament, and before six years should run, this same parliament would, at the king's order, condemn Sir Thomas More by act of attainder.

The position of the new chancellor was dangerous from the first. Wolsey had fallen because he had failed to help Henry to a divorce from his queen, Catherine of Aragon, and More had been made his successor because the king had counted on him to accomplish the "great matter." All that Sir Thomas could hope for was that he might be allowed to do his work as chancellor without being mixed up with divorce proceedings. As long as he was not called upon to declare publicly that the divorce was right, he had no wish to interfere in the matter. First to last no word of approval came from More's lips to encourage Henry in the divorce, but he was not the man to express judgment on a case that he did not wish brought before him.<sup>1</sup> In the end the chancellor's very silence turned Henry's disappointment to active displeasure, and More's life was taken in savage revenge for non-compliance with the royal will.

Henry's divorce dates the beginning of the Protestant Reformation in England—of that ecclesiastical revolution in which the supremacy of Rome was rejected, the crown superseded the pope as supreme head of the Church of England, and England was detached from the rest of Roman Catholic Christendom. In the reigns of Edward VI. and Elizabeth the revolution proceeded still further, and Catholic rites and doctrines, service books and ceremonies were rigorously cast out of the Church of England, and all who adhered to the old order in

<sup>1</sup> "He most warily retired from every opposition but that which conscience absolutely required. He displayed that very peculiar excellence of his character, which, as it showed his submission to be the fruit of sense of duty, gave dignity to that which in others is apt to seem to be slavish."—Sir James Mackintosh, *Life of More*.

religion were punished by law. But those days were far off as yet.

More, at the outset of this revolution, declines to follow the king in the rejection of the old allegiance to Rome. All he asks for is freedom of conscience to remain in the faith of his fathers, to worship as Christians in England had worshipped since the coming of Augustine. To escape death by giving up this freedom is impossible for Sir Thomas More.

The divorce from Queen Catherine is the turning point in More's worldly fortunes as well as in ecclesiastical affairs in England.

Eighteen years passed from the day of Henry's marriage to Catherine, on his accession to the throne, before the divorce was mooted. The scruple was that Catherine had been formerly betrothed to his dead brother Arthur; the moving force of Henry's petition for divorce was the desire to marry Anne Boleyn. Unable to get the marriage annulled at Rome, or to get a favourable opinion from the universities, Henry fell back on Archbishop Cranmer to decree the divorce, and finally this was done in 1533, all appeals to Rome being henceforth forbidden. Henry had already, in 1531, called upon the clergy to acknowledge him as the supreme head of the Church of England, and the following year they were required to surrender the ancient right to meet and enact canons.<sup>1</sup>

In these four years the chancellor had kept out of

<sup>1</sup> "Parliament is discussing the revocation of all synods and other constitutions of the English clergy, and the prohibition of holding synods without express license of the king. This is a strange thing. Churchmen will be of less account than shoemakers, who have the power of assembling and making their own statutes."—Chapuys, *Letters and Papers of Henry VIII.* (Rolls Series).

political life as far as he could, and had given his attention to his judicial work. But in May, 1532, he resigned the great seal into the king's hands, "seeing that affairs were going badly, and likely to be worse, and that if he retained his office he would be obliged to act against his conscience, or incur the king's displeasure as he had already begun to do, for refusing to take his part against the clergy. His excuse was that his salary was too small, and that he was not equal to the work. Everyone is concerned, for there never was a better man in the office."<sup>1</sup>

Nothing is known of Sir Thomas More's work in the chancery except his integrity and his despatch. "When More took the office there were causes that had remained undecided for twenty years. He presided so dexterously and successfully that once after taking his seat and deciding a case, when the next case was called, it was found that there was no second case for trial. Such a thing is said never to have happened before or since." (Stapleton.)

For nearly two years More lived unmolested after his resignation of the chancellorship; but he had incurred the enmity of the king and the hatred of Anne Boleyn, and Henry was swiftly driving at certain changes in religion that were to bring Sir Thomas More to the Tower and the block, and many another honest Christian to the prison and the gallows of Tyburn.

In June, 1533, after Cranmer had duly pronounced Henry's marriage with Catherine void, came the coronation of Anne Boleyn, and Sir Thomas More declined an invitation from some of the bishops to be present at the celebration. He knew that his

<sup>1</sup> Chapuys, *Letters and Papers of Henry VIII.* (Rolls Series).

absence would be marked unfavourably by the king, and was ready to pay the penalty ; but his care in avoiding the expression of any disapproval of Henry's proceedings required an equal care that no approval should be expressed. To have been present at the coronation of Anne would have been, for More, to condone the divorce.

In the autumn came an attempt to include More, with Bishop Fisher and certain monks and friars, in the treason of the "Holy Maid of Kent"—Elizabeth Barton, a Canterbury nun. The "treason" amounted to this, that the nun, who was given to prophesying, declared that God had revealed to her to speak against Henry's divorce, and it was sufficient to bring her to Tyburn. But against Sir Thomas More no shred of evidence could be procured, for none existed. He had seen the nun, and talked with her, and "held her in great estimation," but would neither commit himself to a belief in her visions, nor permit any discussion on the king's doings ; but wrote to the nun a letter which could not have been more prudent, as he exhorted her "to attend to devotion, and not meddle in the affairs of princes."

The name of Sir Thomas More was struck out of the bill of attainder, but the days of his liberty were already numbered.

The Act of Succession, passed in March, 1534, made Mary, the daughter of Henry and Catherine, illegitimate, and Elizabeth, Anne's child, the heir to the throne. The act also declared that "all the nobles of the realm, spiritual and temporal, and all other subjects arrived at full age, should be obliged to take corporal oath, in the presence of the king or

his commissioners, to observe and maintain the whole effect and contents of the act," under the penalties for treason for refusal. The words of the oath were not inserted in the act, and the commissioners drew up a formula, requiring all persons to affirm in addition that the marriage with Catherine was invalid, and the marriage with Anne valid, and further to recall and repudiate allegiance to any foreign authority, prince, or potentate. This was a much larger demand than parliament had authorised, for it contained a denial of the papal supremacy, while all that the act had required was an acknowledgment of the succession to the crown. The pope had only just given his final decision on Henry's appeal for divorce (March, 1534), and the decision had been against the king and in favour of the marriage. The oath now administered was in direct opposition to the supremacy of Rome, and as such was impossible to the consciences of men like Sir Thomas More and Bishop Fisher, though the great bulk of the clergy took it without giving any trouble.

More was quite prepared to swear to the succession of Elizabeth. Parliament had, in his eyes, a plain right to decide who should wear the crown, and the doctrine of divine hereditary kingship does not come in till the Stuarts. But this mere willingness to comply with the letter of the law was not sufficient. More's silent want of sympathy with the divorce, and with the breach it involved with Rome, was intolerable to Henry, who had counted More amongst his dearest friends; for friend or foe, in Henry's power, could only live by abject agreement with the royal pleasure. No king had three more faithful servants than Henry VIII. had in Thomas

Wolsey, Thomas More, and Thomas Cromwell, and no king destroyed his ministers with such fierce caprice.

Sir Thomas More, unable to take the oath, was sent to the Tower in April, 1534, Bishop Fisher having already been lodged there. In November parliament met again, and passed the Act of Supremacy, making Henry VIII. "the supreme head of the Church of England," and declaring that on and after the first of February, 1535, it was high treason "to deprive the king's most royal person, the queen's, or their heirs apparent of their dignity, title or name of their royal estates, or slanderously and maliciously publish or pronounce, by express writing or words, that the king, our sovereign lord, should be heretic, schismatic, tyrant, infidel, etc." Under this act Sir Thomas More was to be assailed and to die. That the martyrdom was a "judicial murder" is plain—to Lord Campbell it was "the blackest crime that ever has been perpetrated in England under the form of law."<sup>1</sup>

The indictment was for treason, and on July 1st, a week after Bishop Fisher's execution, Sir Thomas More was brought before the judges. To the charge of having refused the king, "maliciously, falsely, and traitorously, his title of supreme head of the Church of England," More answered that the statute had been passed while he was in prison, and that he was dead to the world, and had not cared about such things—"your statute cannot condemn me to death for such silence, for neither your statute nor any laws in the world punish people except for words and deeds—surely not for keeping silence."

<sup>1</sup> *Lives of the Chancellors.*

"To this the king's proctor replied that such silence was a certain proof of malice intended against the statute, especially as every faithful subject, on being questioned about the statute, was obliged to answer categorically that the statute was good and wholesome." "Surely," replied More, "if common law is true, and he who is silent seems to consent, my silence should rather be taken as approval than contempt of your statute."

To the first article charging him with having always maliciously opposed the king's second marriage, More had answered that anything he had said had been according to his conscience, and that for "this error," he had already suffered fifteen months' imprisonment, and the confiscation of his property.

The trial was soon over, for the king had decided on More's death when Fisher was executed, ordering the preachers to set forth to the people the treasons of the late Bishop of Rochester and of Sir Thomas More; "joining them together though the later was still untried."<sup>1</sup> The jury, after a quarter of an hour's absence, declared him guilty of death for maliciously contravening the statute, and sentence was pronounced by the chancellor "according to the tenour of the new law."

Death being now in sight, and faith having been kept with his conscience, More has no longer any reason to observe silence. To the usual question whether he has anything to say against the sentence, he replied, that for the seven years he had studied the matter he could not find that supremacy in a church belonged to a layman, or to any but the

<sup>1</sup> *Letters and Papers of Henry VIII. (Rolls Series).*

see of Rome, as granted personally by our Lord when on earth to St. Peter and his successors ; and that, as the city of London could not make a law against the laws of the realm of England, so England could not make a law contrary to the general law of Christ's Catholic Church ; and that the Magna Charta of England said that "the English Church should be free to enjoy all its rights," as the king had sworn at his consecration. Interrupted by the chancellor with the inquiry whether he wished to be considered wiser and better than all the bishops and nobles of the realm who had sworn to the king's supremacy, More retorted, " For one bishop of your opinion, my lord, I have a hundred saints of mine ; and for one parliament of yours, and God knows of what kind, I have all the general councils for a thousand years." The Duke of Norfolk said that now his malice was clear.

On the sixth of July, 1535, Sir Thomas More was beheaded on Tower Hill, for the king remitted the ferocious mutilations that accompanied the executions for treason at Tyburn. " The scaffold was very unsteady, and putting his feet on the ladder, he said, merrily, to the lieutenant of the Tower : " I pray thee see me safe up, and for my coming down let me shift for myself."<sup>1</sup>

Then, with a simple request to the people standing round to pray for him, and to bear witness that he died a Catholic for the faith of the Catholic Church, a friendly word to the executioner, and a last prayer—the 51st Psalm—the axe fell, and More was dead.

Beyond More's scholarship and wit, and his affection for his family and friends, stands out his great,

<sup>1</sup> Roper.

unflinching quality of loyalty to conscience. When the power was in his hands as lord chancellor, no one was put to death by Sir Thomas More for heresy in England, though he did what he could by his pen to check the innovations of Luther, which he hated,—not only because they broke up the unity of Christendom, but because, it seemed to him, they struck at all social morality and decency.<sup>1</sup> The violence of Luther's outbreak, the determination of the Lutherans—sure of their own possession of the truth—to allow no liberty to Catholics, and the antinomian communism of the anabaptists—all these things made Protestantism detestable to men like Sir Thomas More and Erasmus, and made More declare that dogmatising heretics ought to be repressed by the state as breeders of strife and contention. But his own record is clear: "And of all that ever came in my hand for heresy, as help me God, saving (as I said) the sure keeping of them, had never any of them any stripe or stroke given them, so much as a fillip on the forehead."<sup>2</sup>

"What other controversialist can be named, who, having the power to crush antagonists whom he viewed as the disturbers of the quiet of his own declining years, the destroyers of all the hopes which he had cherished for mankind, contented himself with severity of language?"<sup>3</sup>

<sup>1</sup> "To More a heretic was neither a simple man erring by ignorance, nor a learned man using his freedom in doubtful points: he was a man whose heart was 'proud, poisoned, and obstinate,' because he denied the Divine guidance of the Church while he claimed special Divine inspiration for himself."—Rev. T. E. Bridgett.

<sup>2</sup> More's *English Works—Apology*. It is only thirty years after his death that Foxe suggests More as a persecutor. All the evidence is in the opposite direction.

<sup>3</sup> Sir James Mackintosh, *Life of More*.

The author of the *Utopia* was a critic, as Colet and Erasmus were, of abuses in the Church ; but like his friends he lived and died a Catholic. He saw Lutheranism as the source of a thousand ills, and with Erasmus opposed it ; but though heretics were anti-social and factious, he would not put one to death for error.

It is all through Sir Thomas More's character—this respect for conscience. There is no going back on the wide toleration of his early manhood, and high office and responsibilities of state no more cramp or belittle his faith than they destroy his playfulness or the warmth of his affections.

He died a martyr for the religion of his life, for the simple right to abide in the old Catholic paths of his fellow-countrymen.

As Sir Thomas More was not the first of the Catholic martyrs at the Reformation, for he had seen his old friends, the Carthusian monks, carried to Tyburn, so he was not the last. For the next fifty years of Henry and Elizabeth, English men and women were to suffer for the old faith of England, and in Mary's reign to die as bravely for Protestantism.

In spite of monasteries and priories destroyed, and parish churches stripped and plundered, in spite of penal laws which banned its priesthood and proscribed its worship, the Catholicism More died for has endured in England. All that parliament could do to exterminate the belief in papal supremacy has been done ; all that panic and prejudice could accomplish by "popish plots" to the same end has been accomplished. These things have been no more successful than the mad "no popery" riots of

Lord George Gordon in crushing the faith of the Roman Catholic minority. The penal laws have gone, Catholic emancipation has been obtained, a Catholic hierarchy has been set up, and to-day in England the freedom of conscience that was refused to Sir Thomas More is the accepted liberty of all.

In 1887 Sir Thomas More, with Bishop Fisher and the Carthusian martyrs, were beatified by Pope Leo XIII. Serving their religion in life and death, they served the cause of human liberty, notwithstanding Henry as Anselm withstood the Red King, and as Langton withstood John.



# Robert Ket and The Norfolk Rising

1549

AUTHORITIES: *The Commotion in Norfolk*, by Nicholas Sotherton, 1576 (Harleian MS.); *De Furoribus Norfolciensum*, by Nevylle, 1575 (Translated into English by Wood, 1615); Holinshed—*Chronicle*; Sir John Hayward—*Life of Edward VI.*; Strype—*Memorials*; Blomefield—*History of Norfolk*; F. W. Russell—*Kett's Rebellion*; W. Rye—*Victoria County History—Norfolk*.

## ROBERT KET AND THE NORFOLK RISING. 1549.

**T**HE Norfolk Rising of the sixteenth century was a land war, caused directly by the enclosing of the common fields of the peasants, and the break up of the accustomed rural life.

The landowners finding greater profit in breeding sheep and cattle than in the small holdings of peasants, began, about 1470, to seize the fields which from time immemorial had been cultivated by the country people in common, and to evict whole parishes by pulling down all the dwelling places. For eighty years these clearances were going on. Acts of Parliament were passed in 1489 and 1515 to prohibit the "pulling down of towns" and to order the rebuilding of such towns, and the restoration of pasture lands to tillage, but both acts were quite inoperative. In 1517, Cardinal Wolsey's Royal Commission on Enclosures reported on the defiance of the law in seven Midland counties, where more than 36,000 acres had been enclosed; but legal proceedings against the landowners were stayed on the latter promising to make restitution.

Thomas More, in the first part of his *Utopia*, in 1516, described for all time what the enclosures he witnessed meant for England.

"For look in what parts of the realm doth grow the finest and therefore dearest wool, there noblemen

and gentlemen, yea, and certain abbots, holy men no doubt, not contenting themselves with the yearly revenues and profits that were wont to grow to their forefathers and predecessors of their lands, nor being content that they live in rest and pleasure—nothing profiting, yea, much annoying the public weal—leave no ground for tillage, they inclose all into pastures; they throw down houses; they pluck down towns and leave nothing standing but only the church to be made a sheep fold. . . . They turn all dwelling-places and all glebe land into desolation and wilderness. Therefore, that one covetous and insatiable comorant may compass about and inclose many thousand acres of ground together within one pale or hedge, the husbandmen be thrust out of their own, or else either by cunning and fraud, or by violent oppression, or by wrongs and injuries they be so wearied, that they be compelled to sell all. By one means therefore or another, either by hook or by crook they must needs depart away, men, women, husbands, wives, fatherless children, widows, mothers with their young babies, and their whole household small in substance and large in number, as husbandry requireth many hands. Away they trudge, I say, out of their known and accustomed houses, finding no place to rest in. . . . And when they have wandered abroad till the little they have be spent, what can they then else do but steal, and then justly be hanged, or else go about a begging. And yet then also they be cast in prison as vagabonds, because they go about and work not: whom no man will set a work, though they never so willingly proffer themselves thereto. For one shepherd or herdsman is enough to eat up that ground with cattle, to the

occupying whereof about husbandry many hands were requisite."

This was social England in the early years of Henry VIII., and every year saw things grow worse for the rural folk, in spite of further royal proclamations against enclosures in 1526. A series of bad harvests drove a starving population to riot in Norfolk in 1527 and 1529. In 1536 came the suppression of 376 lesser monasteries, followed two years later by the dissolution of all remaining monasteries and priories, and in 1547 by the royal confiscation of the property of the religious guilds and brotherhoods.

The landowners having established a starving unemployed class by the simple process of depriving people of access to the land, and the crown having removed the only source of relief to the unemployed by destroying the monasteries, it remained for parliament to deal with the "social problem" thus created by declaring poverty a crime, and the unemployed person a felon. The lash and the gallows were to solve the problem.

In 1531, an act of parliament granted licences to the impotent beggar, and ordered a whipping for all other mendicants. Five years later stronger measures were adopted, and whipping was only permitted to first offenders: mutilation and hanging were the subsequent penalties on conviction, and thousands of unemployed men and women suffered under this act. But still the unemployed existed, for the enclosures had not been stopped; and so the first year of Edward VI. saw an act passed declaring the convicted unemployed "a slave." (As it seemed to many that parliament had got rid of papal

authority only to bring back slavery in England, this act was repealed in two years, and the act of 1531 revived.)

The bitterness of the agrarian misery, the violent destruction of all the old religious customs and habits of the people, the confiscation of the funds of the guilds, the open despoiling of the parish churches of the people<sup>1</sup>—all these things plunged the country into confusion and despair. The general rising in Lincolnshire and the north in 1536 (known as the “Pilgrimage of Grace”) against the suppressions of the monasteries, and the rising in Cornwall and Devon in 1549 against Edward’s VI.’s new Book of Common Prayer were strong manifestations of the popular dislike of the changes made in religion by Henry VIII. and the ministers of Edward VI.

In Norfolk, in 1537, the people made an insurrection against the suppression of the monasteries; but the later risings of 1540 (at Griston, when one John Walker “exhorted the people to destroy the gentry”), and in 1549, under Ket, were not concerned with the religious troubles of the times, but were frankly agrarian. The Norfolk rising, which Ket led, was no more connected with Protestantism than the Peasant Revolt of 1381 was with Lollardy. Agrarian disturbances took place in a number of counties in 1549. In May the peasants of Somerset and Lincoln were in revolt, and in July there were tumults in Essex, Kent, Wiltshire, Buckinghamshire, and Oxfordshire. A rude Cambridge ballad of the time extols the pulling down of enclosures:

<sup>1</sup> See Dr. Jessop, *The Great Pillage*.

Cast hedge and ditch in the lake,  
Fixed with many a stake ;  
Though they be never so fast,  
Yet asunder they are wrest.  
Sir, I think that this work  
Is as good as to build a kirk.

In 1548 Protector Somerset had followed Wolsey's footsteps in issuing a proclamation for a royal commission to inquire and report concerning enclosures, and to give the names of all who kept more than two thousand sheep or who had "taken from any other their commons."<sup>1</sup> The commissioners were also "to reform" any cases of the enclosing of commons and highways, "without due recompense," which they might find ; "and to the intent your doings may proceed without all suspicion, and the people conceive some good hope of reformation at your hands, we would that as many of you as be in any of the cases to be reformed, do first, for example's sake, begin to the reformation of yourselves."

Somerset's ingenuous suggestion was naturally disregarded by the commissioners, and beyond making inquiries and publishing a report—to the effect that in the counties of Suffolk, Essex, Hertford, Kent, and Worcester nearly all the common lands<sup>2</sup> had been enclosed, while in Norfolk and Northampton large enclosures had been made—the commission of 1548 was as fruitless as its predecessors. Somerset, however, got some reputation

<sup>1</sup> See *State Papers, Domestic, Edward VI.*

<sup>2</sup> The common lands engrossed in the 15th and 16th centuries were the farm lands cultivated in common by the peasants. The enclosure of the commons was left to a later date, and took place between 1760 and 1830.

by it as an enemy to the enclosures, and certainly incurred the dislike of the landowners. But where Wolsey, in the hey-day of power, had failed, there was small chance of success for Somerset, with the country in a state of anarchy, and the nation rent and distracted by a violent revolution in the Church.

The only strong movement to prevent the utter downfall of the country-people was the Norfolk Rising, which Robert Ket directed in the summer of 1549. It failed in the end, but for more than six weeks the power of the landlords was broken round Norwich, their enclosures were stopped, and the hope of better things filled the hearts of the peasants.

The rising began at Attleborough on 20th June when Squire Green, of Wylby, set up fences and hedges round the common lands at Harpham and Attleborough, and the people, excited by news that in Kent similar fences had been destroyed, proceeded to pull them down. For the next fortnight the revolt had neither leaders nor organization. "There were secret meetings of men running hither and thither, and then withdrawing themselves for secret conferences, but at length they all began to deal tumultuously and to rage openly." On July 7th the annual feast at Wymondham, in honour of the translation of St. Thomas of Canterbury, brought the country folk together from miles round ; and at the close of the fair they all set off to break down the fences set up round the common lands at Hetherset by one Sergeant Flowerdew.<sup>1</sup>

<sup>1</sup> This Flowerdew had distinguished himself at the destruction of the abbey at Wymondham by Henry VIII., by tearing off the lead from the roof of the church and pulling down the choir, for the sake of the stones, after the people had raised a large sum of money for the king in order to save the church.

Flowerdew, unable to save his fences, proposed a diversion. The Kets at Wymondham had made enclosures, why shouldn't the rioters deal with them in similar fashion? Flowerdew actually paid over 40d. to encourage an attack on the Kets.

Robert Ket and his brother were well-known men. Both were craftsmen, Robert, a tanner, and William, a butcher. They were landowners besides, and men of substance and of old family, for it was said the Kets had been in the land since the Norman Conquest. Robert Ket held three manors from the Earl of Warwick; his yearly income was put down at £50, and his property valued at 1,000 marks. Like other landowners, the Kets had made enclosures, but on the arrival of the people from Hethererset they at once declared themselves willing to stand by the movement for freeing the land. Robert Ket felt the misery of his neighbours. He saw that if the revolt was to be anything more than a local riot it must have necessary guidance, and his sympathies were entirely on the democratic side. And so from that time forward he gave up the quiet of a country gentleman's life at Wymondham for the strenuous movement of an insurgent camp.

To the appeal of the people for help, Ket answered passionately, "I am ready, and will be ready at all times, to do whatever, not only to repress, but to subdue the power of great men. Whatsoever lands I have enclosed shall again be made common unto ye and all men, and my own hands shall first perform it."

Then Robert Ket went on to commit himself body and soul to the movement, resolved that the peasants should not be left unaided in the struggle

they had begun, and willing to take upon himself the burden and responsibility of leadership.

"You shall have me, if you will, not only as a companion, but as a captain ; and in the doing of the so great a work before us, not only as a fellow, but for a leader, author and principal."

If the ambition which clutches at sovereignty and rule is despicable, even more despicable is the weakness which refuses to take command at times of peril.

To Robert Ket and his brother there was no promise of the world's honour and glory should the rising be successful. At the best would be the satisfaction of a battle fought and won for the deliverance of long-suffering peasants. At the worst the laying down of life in a good cause, as Geoffrey Litster and many a Norfolk man had done in by-gone days.

Robert Ket's leadership was acclaimed with enthusiasm, nor was it ever disputed throughout the rising. In this, the last of the great popular risings in England, the Norfolk men were as loyal to their leader as the men of Kent were to Wat Tyler and Jack Cade. And in each case that loyalty had ample justification.

There were but a thousand men involved when the rising began, but under Ket's command the movement passed rapidly from the fluid "running hither and thither" condition of the first fortnight, and became the march of an organized army.

On July 10th, two days after Ket took command, this army was on the road to Norwich, and after crossing the river at Cringleford, lay encamped at Eaton Wood.

It is plain from Ket's speeches to his men, and from "The Rebels' Complaint," which he published at this time, that to Robert Ket the rising was not only to put down enclosures, its aim was rather to strike at the root of the evil and to put an end to the ascendancy of the landlord class, and make England a free commonwealth. Either the people must put down landlords, or very soon the landlords would have the whole land in their possession, and the people would be in hopeless and helpless subjection. Had not an act of parliament been actually passed making "slaves" of the landless men, dispossessed by enclosures? When parliament was establishing slavery it was time for honest men to be up and doing, rousing the people to action.

Ket's speech at Eaton Wood is a fierce attack on the landlords, and a reminder that having ventured so far, the peasants must advance yet further :

Now are ye overtossed and trodden down by gentlemen, and put out of possibility ever to recover foot. Rivers of riches ran into the coffers of your landlords, while you are pair'd to the quick, and fed upon pease and oats like beasts. You are fleeced by these landlords for their private benefit, and as well kept under by the public burdens of State wherein while the richer sort favour themselves, ye are gnawn to the very bones. Your tyrannous masters often implead, arrest, and cast you into prison, so that they may the more terrify and torture you in your minds, and wind your necks more surely under their arms. And then they palliate these pillories with the fair pretence of law and authority ! Fine workmen, I warrant you, are this law and authority, who can do their dealings so closely that men can only discover them for your undoing. Harmless counsels are fit for tame fools ; for you who have already stirred there is no hope but in adventuring boldly.

In "The Rebels' Complaint," the same note is

struck. Only by taking up arms, and mixing Heaven and earth together, can the intolerable oppression of the landlords be ended.

The pride of great men is now intolerable, but our condition miserable.

These abound in delights ; and compassed with the fullness of all things, and consumed with vain pleasures, thirst only after gain, inflamed with the burning delights of their desires.

But ourselves, almost killed with labour and watching, do nothing all our life long but sweat, mourn, hunger, and thirst. Which things, though they seem miserable and base (as they are indeed most miserable), yet might be borne howsoever, if they which are drowned in the boiling seas of evil delights did not pursue the calamities and miseries of other men with too much insolent hatred. But now both we and our miserable condition is a laughing stock to these most proud and insolent men—who are consumed with ease and idleness. Which thing (as it may) grieveth us so sore and inflicteth such a stain of evil report, so that nothing is more grievous for us to remember, nor more unjust to suffer.

The present condition of possessing land seemeth miserable and slavish—holding it all at the pleasure of great men ; not freely, but by prescription, and, as it were, at the will and pleasure of the lord. For as soon as any man offend any of these gorgeous gentlemen, he is put out, deprived, and thrust from all his goods.

How long shall we suffer so great oppression to go unrevenged?

For so far as they, the gentlemen, now gone in cruelty and covetousness, that they are not content only to take all by violence away from us, and to consume in riot and effeminate delights what they get by force and villainy, but they must also suck in a manner our blood and marrow out of our veins and bones.

The common pastures left by our predecessors for our relief and our children are taken away.

The lands which in the memory of our fathers were common, those are ditched and hedged in and made several ; the pastures are enclosed, and we shut out. Whatsoever fowls of the air or fishes of the water, and increase of the earth—all these do they devour, consume, and swallow up ;

yea, nature doth not suffice to satisfy their lusts, but they seek out new devices, and, as it were, forms of pleasures to embalm and perfume themselves, to abound in pleasant smells, to pour in sweet things to sweet things. Finally, they seek from all places all things for their desire and the provocation of lust. While we in the meantime eat herbs and roots, and languish with continual labour, and yet are envied that we live, breathe, and enjoy common air!

Shall they, as they have brought hedges about common pastures, enclose with their intolerable lusts also all the commodities and pleasures of this life, which Nature, the parent of us all, would have common, and bringeth forth every day, for us, as well as for them?

We can no longer bear so much, so great, and so cruel injury; neither can we with quiet minds behold so great covetousness, excess, and pride of the nobility. We will rather take arms, and mix Heaven and earth together, than endure so great cruelty.

Nature hath provided for us, as well as for them; hath given us a body and a soul, and hath not envied us other things. While we have the same form, and the same condition of birth together with them, why should they have a life so unlike unto ours, and differ so far from us in calling?

We see that things have now come to extremities, and we will prove the extremity. We will rend down hedges, fill up ditches, and make a way for every man into the common pasture. Finally, we will lay all even with the ground, which they, no less wickedly than cruelly and covetously, have enclosed. Neither will we suffer ourselves any more to be pressed with such burdens against our wills, nor endure so great shame, since living out our days under such inconveniences we should leave the commonwealth unto our posterity—mourning, and miserable, and much worse than we received it of our fathers.

Wherefore we will try all means; neither will we ever rest until we have brought things to our own liking.

We desire liberty and an indifferent (or equal) use of all things. This will we have. Otherwise these tumults and our lives shall only be ended together.

Revolutionary as this manifesto is, Robert Ket is seen all through the rising exerting his authority on

behalf of law and good order, curbing anarchy and checking ferocity in the rebel camp.

Only one day was spent at Eaton Wood. Ket's plan was to advance to Household, a wide stretch of high, well-wooded ground to the east of Norwich. Here the camp was fixed on July 12th, the river having been crossed at Hailsdon, and a night's halt called at Drayton—for the mayor of Norwich, Thomas Cod, positively refused to allow the rebels to pass through the city. Ket, anxious to unite citizens and peasants in a common cause, willingly avoided altercation, and Cod, alarmed at the rising, and unable to dissuade the insurgents from their enterprise, was careful to refrain from all hostile demonstrations. Cod's one purpose was to exclude Ket's army from the city, and to accomplish this he kept on friendly terms with Ket, even while appealing to the government to send down troops to suppress the rising. Ket's purpose was to break down landlord rule in Norfolk, extend the area of revolt, and to get the king to attend to the complaints of his subjects.

Ket's company at Household numbered no more than 2,600 on July 12th; but the ringing of bells and the firing of beacons brought in thousands of homeless men. At the end of a week 20,000 men were enrolled under the banner of revolt, and now Ket had all his work to do in maintaining discipline and in arranging for provisions for the camp.

It is clear Robert Ket was the right man for a leader.<sup>1</sup> The people trusted him and obeyed his

<sup>1</sup> "By bearing a confident countenance in all his actions the vulgars took him (Ket) to be both valiant and wise and a fit man to be their commander."—Sir John Hayward, *Life of Edward VI.*

"This Ket was a proper person to be a ringleader of mischief, for he was of a bold, haughty spirit, and of a cankered mind against the Government."—John Strype, *Ecclesiastical Memorials*.

orders. Cod and two other reputable citizens of Norwich—Aldrich, an alderman, and Watson, a preacher—attended the camp daily, and along with Ket and his brother William sat under a great tree, known as the Oak of Reformation, and administered justice. The 20,000 hungry, disinherited men carried out in as orderly way as they could the instructions they received.

Ket's first business was to send to the king a plain statement of "Requests and Demands." He knew what was wanted for rural England, and refused to admit that his purpose was disloyal or that his conduct was rebellion.

The "Requests" were twenty-nine, and they contained a full statement of the grievances of the country folk. The chief requests were for the stoppage of enclosures, the enactment of fair rents, the restoration of common fishing rights in sea and river, the appointment of resident clergymen in every parish to preach and instruct the children, and the free election or official appointment of local "commissioners" for the enforcement of the laws. One significant prayer was "that all bond men may be made free, for God made all free with His precious bloodshedding."

This document, which was signed by Ket, Cod and Aldrich,<sup>1</sup> was answered by the arrival of a herald from the king with a promise that parliament should meet in October to consider their complaints, and that something should be done to redress their

<sup>1</sup> These two "were partly fain to agree, lest they being out of favour and place, others might come to bring all out of frame that now might partly be well framed, and the rather they assented to keep the people in better order during answer from the prince."—Nicholas Sutherton.

grievances, if in the meantime they would quietly disperse to their homes.

All this was too vague and uncertain for Ket. Not till some definite step was taken by king or parliament to end the present distress was he willing to lay down his arms and bid his followers disperse. He had put his hand to the plough, and no turning back was possible while the evils he had risen against flourished unchecked.

So Ket put his house in order on Mousehold Heath. The Oak of Reformation was boarded over "with rafters," and to this place of summary justice landowners were brought and tried for making enclosures. Two men were chosen by the commons from every hundred to assist in the work of administration, and all the people were strictly admonished "to beware of robbing, spoiling and other evil demeanours." As the army had to be victualled, Ket sent out men armed with his official warrant requiring the country houses to provide cattle and corn, "so that no violence or injury be done to any honest or poor man," and this requisition brought in guns, gunpowder and money, in addition to "all kinds of victual." The smaller farmers sent their contributions "with much private good will," while on the landowners a great fear had fallen, and it seemed that the day of their might was passed.

A royal messenger bearing commissions of the peace to various country gentlemen falling into the hands of Ket, he was at once deprived of these documents and sent on his way. Ket filled in the names of men who had joined the rising on these commissions, and these new magistrates gave assistance in maintaining order.

Cod and Aldrich were shocked at the arrest of landowners. "Notwithstanding were divers gentlemen taken and brought to prison, some in Norwich Prison, some in Norwich Castle and some in Surrey Place."—St. Leonard's Hill.

In every case the lives of the landowners were spared. Stern and unmoved by respect of persons was Robert Ket, but there was no taint of cruelty, meanness or bloodthirstiness in his rule. It was not his purpose to raise civil war or leave a festering sore of hatred by putting his neighbours to death. To destroy the power of the landlords and ensure the right of an evicted people to live on the land was the aim of the Norfolk Rising.

At the end of the first week relations became strained between Cod and the army on Household.

It was the custom to have prayers every day under the Oak, and Dr. Conyers, vicar of St. Martin's, Norwich, acted as chaplain. "Grave persons and good divines" would come out from the city and preach under the Oak, and on one occasion Dr. Matthew Parker, a Norwich man, who had been chaplain to Anne Boleyn, and who was to become Archbishop of Canterbury under Elizabeth, filled the pulpit. Parker's sermon, full of rebukes on the rising and praise of Edward VI., was so obnoxious, for "he touched them for their living so near that they went near to touch him for his life," that Conyers only prevented a riot by striking up the "Te Deum" in English, and during the singing Parker withdrew "to sing his part at home."

Matthew Parker was a great man in Norwich (his brother Thomas became mayor), and the incivility he had received at Household gave great offence.

Cod and the aldermen sent off Leonard Sutherton, a respectable burgess, to report to the king's council the doings in Norfolk, and Sutherton brought back from London a royal herald, who went out to Mousehold and promised the king's pardon to all that would depart quietly to their homes.

The people cheered and shouted "God save the king's majesty," but to Ket this talk of pardon was altogether beside the mark. With some dignity he informed the herald that "kings and princes are wont to pardon wicked persons, not innocent and just men," and added, "I trust I have done nothing but what belongs to the duty of a true subject."

The herald then called on John Petibone, the sword-bearer of Norwich, who with other civic notables was standing by, to arrest Robert Ket. But the thing was impossible. Ket had 20,000 men at his back, and the sword-bearer was supported by half-a-dozen elderly members of the town council. All that could be done was to escort the herald into the city, leaving Ket to his own devices.

There was no more peace between the camp at Mousehold and the city of Norwich after this. Hitherto Mayor Cod had retained the keys of the city, and his authority had been respected by Ket. At the same time Ket's men had gone freely to and fro throughout the city without let or hindrance. Now all was changed. First the landowners were being arrested and despoiled, then the learned doctor, Matthew Parker (was he not master of Corpus Christi College, Cambridge?) had been interrupted and hooted, and now a king's herald was contemned! Cod ordered the city gates to be made fast, commanded Ket's prisoners to be released, and

placed the city's ordnance in the meadows by the river. This amounted to a declaration of war, and Ket replied by bringing up his guns.

The night of July 21st was spent "in fearful shot on both sides," but little injury was done. For Ket's guns brought "more fear than hurt to the city," and "the city ordnance did not much annoy the enemy."

In the morning Ket sought to renew peace by asking permission for the transport of victuals through the city, "as the custom was of late," and warning the mayor that refusal would provoke fire and sword.

Cod refused permission, and Ket opened fire on the city gates. But "for lack of powder and want of skill in the gunners the ordnance was spent to small and little purpose." A desperate encounter followed, with bows and arrows for the chief weapons of offence. Boys from Household, "naked and unarmed, would pluck the arrows from their bodies and hand them to the rebels to fire at the city." At Bishopsgate a number of men swam the river and forced their way into the city, and on the night of July 22nd Norwich was in the hands of Robert Ket.

No reprisals followed. The herald made a last attempt to induce the insurgents to disperse by promising pardons, and was greeted derisively. "Depart with a plague on thee!" they cried. "To the devil with these idle promises. We shall only be oppressed afterwards." Forthwith the herald did depart, with eight pounds of gold in his pocket from the mayor.

Ket retired to Household, the passage through the city having been secured, and Cod accompanied

him, leaving a deputy, Augustine Steward, who lived in the big house in Tombland, opposite Erfingham Gate, to act as mayor.

Judgment went on as before under the Oak of Reformation, and people clamoured for the land-owners to be hanged. "So hated at this time was the name of worship or gentleman, that the basest of the people, burning with more than hostile hatred, desired to extinguish, and utterly cut off, not only the gentry themselves, but if it were possible, all the offspring and hope of them." (Nevylle.)

But Ket was as strong in his mercy as in his resistance to the land enclosers. The gentry were imprisoned, and made to pay tribute: their fences were pulled down, but their lives were spared, and no hurt befell them. In the city Steward, no friend to Ket, was left undisturbed in authority.

At the end of July came William Parr, Marquis of Northampton, with 1,500 soldiers, mostly Italian mercenaries, and a number of country squires with their retainers, to put down the rising. Steward at once admitted him to the city; but Northampton—Henry VIII.'s brother-in-law—was neither a soldier nor statesman, and after two days' hard fighting he fled from Norwich, utterly defeated.

Ket's men were badly armed, but they had numbers on their side, and they fought for freedom and for very life. They swam the river, as before, and forced an entrance. "Half dead, drowned in their own and other men's blood, they would not give over; but till the last gasp, when their hands could scarce hold their weapons, would strike at their adversaries."

Lord Sheffield fell in the fight on August 1st,

killed by a stalwart rebel—one Fulke, a butcher and carpenter by trade—and some hundred of Ket's men lay dead. The city suffered. Several houses and city gates were fired, and only a heavy rain prevented the flames from spreading. (This same rain drove many of the rebels to take refuge in the cathedral, much to the annoyance of the dean and chapter.)

And now for three weeks Ket had to take charge of Norwich as well as of Household camp, for it was impossible to trust Steward. Many of the wealthier townsmen hastened away to Cambridge and London, leaving their wives and families behind. Trade was at an end.

The state of the city began to be in most miserable case, so that all men looked for utter destruction, both of life and goods. Then the remnant that feared God, seeing the plague thus of sorrow increasing, fell to prayer and holy life, and wished but to see the day that after they might talk thereover, looking never to recover help again, nor to see their city prosper.

The women resorted twice a day to prayer, and the servants (except what must needs stay at home) did the same. When Ket's ambassadors were sent to any private house they were fain to bake or brew or do any work for the camp, else they were carried as traitors to the Oak. As for trading, there was none in the city, people being forced to hide up their choicest goods, and happy were they that had the faithfullest servants.

They that did keep open their shops were robbed and spoiled, and their goods were measured by the arm's length and dispersed among the rebels; their children they set away for fear of fire. I, the writer (who was then above twenty-two years of age, and an eye-witness) was present after prayer during this dolorous state, when people met and bewailed the miserable state they were in. (Sutherton.)

But for all their misery the tradesmen of Norwich

were in no fear for their lives. The city had done its best to thwart the rising, but Ket treated it generously, allowing neither pillage nor bloodshed—though he did not scruple to take what goods were necessary for his army.<sup>1</sup> It was beyond the power of man to prevent all thieving during those first few weeks of August, for the civic magistracy was gone, and Ket had large responsibilities on his hands.

The hope that the rising would become general turned to disappointment in the weeks that passed after the flight of Northampton. In Suffolk a number of men rose at Ket's call, and made an unsuccessful attempt to take Yarmouth. A small camp set up at Rising Chase was dispersed, but for a fortnight the peasants gathered at Watton, and stopped the passages of the river at Thetford and Brandon Ferry. For want of leadership they then came on to Mousehold. At Hingham a rising was put down by Sir Edmund Knyvett. And while Ket waited, hoping against hope for better news, the fugitive citizens from Norwich had already persuaded Somerset to send down an army to crush the revolt.

On August 21st the Earl of Warwick, with 14,000 troops, reached Cambridge, and three days later was at Norwich.

Warwick, Henry VIII.'s high chamberlain, the son of Dudley, Henry VII.'s minister, was a man of war and resolution. Sent down to suppress the rising he did his work, but not till he had tried an

<sup>1</sup> "That a populous and wealthy city like Norwich should have been for three weeks in the hands of 20,000 rebels, and should have escaped utter pillage and ruin speaks highly for the rebel leaders."—W. Rye, *Victoria County History of Norfolk*.

appeal to the peasants to disperse without further trouble.

Halting outside the city, Warwick sent a herald to proclaim pardon to all who should now return to their homes, and, as before, the people shouted, "God save King Edward!" Ket himself talked with the herald on the high ground near Bishop's Gate.

Negotiations ended abruptly. Some ill-mannered boy gave an indecent and offensive salute to the herald, and was shot dead by an arrow from the herald's escort. At once the cry of "treachery" was raised by the people, and all talk of peace was at an end. While the herald tried to persuade Ket to come to the Earl of Warwick under a flag of truce, the rebels gathered round their leader and besought him not to forsake them. To Ket there could be sure reliance on royal promises of pardon, and no surrender of the charge he had undertaken. His reply to the herald was to retire on Household and prepare for battle.

Warwick at once entered the city, and began the business of pacification by promptly hanging sixty men in the Market Place, by Norwich Castle, "without hearing the cause"; and by issuing a proclamation that all who were out of doors would receive similar treatment. Then came a mishap, for the greater part of Warwick's artillery fell into Ket's hands. The drivers of the gun-carriages, entering the city after the soldiers, by St. Bennet's Gate on the west, and ignorant of the way, actually passed out at Bishop's Gate on the east on the very road towards Household, and were quickly taken. Ket had now the advantage in ordnance, and there was

fighting in the city all Sunday, August 25th. So uncertain was the issue that the burgesses feared Warwick would suffer Northampton's fate, and prayed him to depart without further loss. But Warwick, waiting for reinforcements, and knowing that 1,400 German mercenaries were close at hand, was not the man to beat an ignominious retreat.

The hireling "lanznechts" arrived next day, and on Tuesday, August 27th, came the fatal battle.

Instead of remaining at Household, where a strong resistance might have been made, the rebels decided to march out boldly from their camp and meet the king's army in the open country that lay between Household Heath and the city. An old song was recalled, which, it seemed, foretold victory in such a case :

The country gnoffes (churls), Hob, Dick, and Rick,  
With clubs and clouted shoon,  
Shall fill the vale  
Of Dussindale  
With slaughtered bodies soon.

But the country churls were to be the slaughtered, and not the slaughterers.

Warwick marched out by the north-east gate of St. Martin-at-the-Oak, and for the last time a herald promised pardon to all who would surrender. But the hangings in the market place had destroyed all confidence in such proclamations, and the answer to the herald was that they "perceived this pardon to be nothing else but a cask full of ropes and halters."

Ket's judgment failed him utterly on that last day of the rising. On the strength of an irrelevant old song he allowed his army to go to its doom un-

checked, and at the very time when good generalship was wanted above all other things, Robert Ket seems to have lost his nerve, and to have been struck by some paralysis of the will, as though conscious of impending ruin.

The peasants poured down into the valley, and into the meadows beyond Magdalen and Pockthorp Gates, and fought with desperate courage, but they were simply cut to pieces by the professional soldiery. At four o'clock in the afternoon it was all over, the defeat utter and complete, and Robert Ket and his brother were in flight.

The remains of the rebel army laid down their arms, when Warwick himself offered pardon in the king's name to those who would surrender.

The rising was at an end. The foreign mercenaries of the crown had triumphed over English peasants. Robert Ket was taken the same night at Swannington, eight miles north of Norwich. He had ridden away from the battle when the field was lost, but horse and rider were too tired to proceed further. Taking refuge in a barn, he was recognized by some men unloading a wagon of corn and seized. The farmer's wife "rated him for his conduct, but he only prayed her to be quiet, and to give him meat." That same night William Ket was taken, and the two brothers were delivered to the lord lieutenant of the county, and by him carried to London to be tried for their lives.

At Household Warwick proved the worth of the pardons he had given by first having nine of the bravest of the peasants hanged, drawn, and quartered under the Oak of Reformation, and distributing their bodies in the city; and then by hanging 300

prisoners on trees, and then forty-nine more at the Market Cross in Norwich. The country gentlemen of Norfolk, backed by their wealthier citizens, called for more executions, till Warwick turned with disgust from the vindictive clamour of these bloodthirsty civilians, and pointed out in impatient reproof that no one would be left "to plough and harrow over the lands" if all the peasants were massacred.

And now the king's authority having been re-established, a public service of thanksgiving was held in the church of St. Peter, Mancroft, and August 27th was ordered to be observed henceforth as "Thanksgiving Day" in Norwich. (This was done by prayers and sermon until 1667. In the grammar school, during Elizabeth's reign, an account of the rising — *De Furoribus Norfolciensium*, written in Latin by Nevylle, and violently anti-popular in expression—was ordered to be used as a text book in place of the usual classics, and was so used for some years.)

On September 7th Warwick returned to London.<sup>1</sup> In November Robert and William Ket, after lying in the Tower for two months, were brought to trial. They offered no defence for what they had done : for having borne arms without the king's permission, and for having striven to stop the robbery and oppression of the peasant without the authority of king and parliament.

<sup>1</sup> A few years later, and John Dudley, Earl of Warwick, now Duke of Northumberland, again visited East Anglia to proclaim his daughter-in-law, Lady Jane Grey, Queen of England. No one rose at his call. Neither peasant nor landowner responded to the proclamation ; and John Dudley, Earl of Warwick and Duke of Northumberland, died, as his father before him had died, convicted of treason, beheaded by the executioner's axe on Tower Hill. It was August 22nd, 1553, just four years after the suppression of the peasants' rising in Norfolk when Northumberland was put to death.

On November 26th they were found guilty of high treason, their property confiscated, and they were condemned to death. On November 29th they were delivered out of the custody of the Tower to the high sheriff of Norfolk, and on December 1st the Kets were again in Norwich.

It was winter, and hope was dead. The last great rising of the English peasantry had failed, crushed without pity, and the leaders of the army of revolt, who had judged it better to give up ease and worldly honour rather than acquiesce dumbly in the enslavement of their poorer neighbours, were to die as traitors.<sup>1</sup> On December 7th the executions were carried out, and Robert Ket was hanged in chains outside Norwich Castle, while William Ket was taken to Wymondham (where he held the manor of Chossell—Church lands, bought years earlier from the Earl of Warwick), and there hanged in chains from the parish church.

The property of the Kets was duly taken by the servants of the crown, and the bodies of the rebel leaders swung in the wind—to remind unthinking men of the reward of rebellion, of the fate of all who challenge, without success, the arms of government.

The Norfolk Rising was the last great movement of the English people in social revolt. Riots we have known even in our times, and mob violence,

<sup>1</sup> "Robert Ket was not a mere craftsman: he was a man of substance, the owner of several manors: his conduct throughout was marked by considerable generosity: nor can the name of patriot be denied to him who deserted the class to which he might have belonged or aspired, and cast in his lot with the suffering people."—Canon Dixon, *History of the Church of England*.

In 1588 a grandson of Robert Ket was burnt as a Nonconformist heretic by order of Elizabeth.

but no such rising as those led by Wat Tyler, by Cade, and by Ket has England seen since the year 1549.

The country people sunk into hopeless poverty and permanent degradation under Edward VI. and Elizabeth, and with the rejection by the government of papal authority, the supremacy of the crown and of the ministers of the crown was established.

In the nineteenth century, when the working people in town and country once more bestirred themselves at the call of freedom, their wiser leaders advised political and not revolutionary methods of action, and the advice has been followed.

But if the year 1549 marks the end of organized democratic resistance to intolerable misgovernment, the coming centuries were to see the rise of the middle class with the insistent demand for the predominance of that class in the parliament of the nation, and the incurable belief that in a popularly elected House of Commons resided all the safeguards of civil and religious liberty.

# Eliot, Hampden, Pym, and the Supremacy of the Commons.

1625-1643

AUTHORITIES : S. R. Gardiner—*History of England, History of Great Civil War, History of Commonwealth and Protectorate*; Clarendon—*History of the Great Rebellion*; John Forster—*Life of Sir John Eliot, Life of Hampden, Life of Pym, The Grand Remonstrance, Arrest of the Five Members*; Nugent—*Memorials for Life of Hampden; Calendar of State Papers; House of Commons' Journals*.

# ELIOT, HAMPDEN, PYM, AND THE SUPREMACY OF THE COMMONS.

1625-1643

**J**OHN ELIOT, John Hampden, John Pym—by the work of these men comes the supremacy of the House of Commons in the government of England.

All three are country gentlemen of good estate, of high principle and of some learning.<sup>1</sup> They are men of religious convictions, of courage and resolution, and of blameless personal character. Two of them—Eliot and Hampden—are content to die for the cause of good government.

The strong rule of Elizabeth left a difficult legacy of government to James I. The despotism of the queen had been forgiven in the success of her State policy ; and if she had no high opinion of parliament, Elizabeth had ministers who fairly represented the mind of the English middle class. Elizabeth's absolutism in Church and State was the direct following of Henry VIII., and only at the very close of her reign was it threatened by the discontent of parliament. With a shrewd instinct for popularity Elizabeth at once yielded. Like her father, she saw the importance of retaining parliament on the side of the crown and making it the instrument of the royal

<sup>1</sup> The three were Oxford men. Sir John Eliot was at Exeter (1607), Hampden at Magdalen (1609) and Pym at Broadgate Hall, afterwards called Pembroke (1599).

will. There was no idea in the Tudor mind of parliament sharing the government with the crown. The business of the House of Commons of Elizabeth was to express its opinion and then decree the proposals of the crown. "Liberty of speech was granted in respect of the aye or no, but not that everybody should speak what he listed." (1592.)

In religion Elizabeth had done her worst to exterminate the Roman Catholic faith, and by the fierceness of her persecution had kindled undying enthusiasm for the old beliefs and worship. But forty years of repression did their work, and a generation arose which only knew Catholicism as the faith of a proscribed and unpatriotic sect, who denied the absolute sovereignty of the crown and had another sovereign at Rome—the religion of Spain—popery, in short: a faith worse than Mahomedanism or heathenism—the scarlet woman of the Apocalypse—according to the fierce Puritan expounders of the Bible, and not to be counted as Christianity. That this very Roman Catholicism—so hateful because the penal laws kept it hidden and unknown, and because it was the religion of Spain, then the national enemy—had been the religion of all England for centuries, and that under it the earliest charters of public liberty had been wrung from the crown, and the principle of a representative parliament established, were facts uncontemplated.

But Elizabeth, while persecuting Roman Catholics, had left in the Book of Common Prayer of the Church of England a sanction for ceremonial and for episcopal ordination, and a body of doctrine which were to be interpreted under the Stuarts by certain Anglican divines as witnesses to Catholicism. Such

interpretation was to be found in Elizabeth's reign as a pious opinion. With Laud it was an active principle, and it brought him to the scaffold. The Elizabethan bishops in the main were thoroughly Protestant, the queen was the head of the Church of England, and the ritual of the Church prescribed by her was reduced to a simplicity that average Protestants could accept.

If Elizabeth burnt anabaptists and hanged other nonconformists, her excuse was that the Church of England was sufficiently Protestant to include all well-affected persons. The extreme Puritans whom she persecuted had this in common with the Roman Catholics, that neither accepted the absolute supremacy of the crown, and the best Puritan teaching in England, even when it counselled conformity to the Established Church, was creating a mind and temper that only found expression in the Commonwealth.

James I. came to the throne in 1603 prepared to carry on the Tudor absolutism. He failed because he had neither Elizabeth's ministers nor her knowledge of the English country landowners. James never realised that Spain was the popular enemy, that a discontent had suddenly grown up in parliament in the last years of Elizabeth's reign, and that the English landowners—in many cases from their inherited possession of the old Church lands—were generally bitterly hostile to the Roman Catholic religion. James was tolerant in religion, and not inclined to press Elizabeth's penal laws against Roman Catholics, and this very toleration brought him under the dislike of the country party. He thought he could disregard the opinion of parliament and he

found that while a House of Commons submitted to a despotism when the country was governed by a strong queen, it would not put up with the follies and extravagance of the Duke of Buckingham.

James died before the strength of the growing movement for parliamentary government was seen. Charles who was no more tyrannical than his father, but even more blind to the signs of the times, fell before that parliamentary movement—a movement which outraged all the traditions of Tudor government—and with his fall brought down the throne, the House of Lords, and the Established Church. By his inability to understand the House of Commons, by his support of the Anglican movement towards Catholicism in the Church of England, and by the mistakes of his ministers, Charles ripened the desire for constitutional monarchy till the desire was irresistible.

John Eliot gave forcible utterance to this desire, and died in prison for his speech. John Pym carried on the work till the sword of civil war was drawn. John Hampden, "the noblest type of parliamentary opposition," was content to back Pym as he had earlier backed Eliot, and to die on Chalgrove Field. Brought up to regard as an alien creed the old belief in papal supremacy in religion, unable to accept the new doctrine of the Church of England that the king was supreme by divine right (a doctrine begotten by the Tudors and dying with the Stuarts), Eliot, Hampden, and Pym were all of the same Puritan type which found its authority in the individual conscience.

Eliot was less afflicted than his colleagues by the

theological Protestantism of the age.<sup>1</sup> First and last he was the straightforward country gentleman, with exalted views on the sacred responsibility of civil government, and a high standard of personal honour. For Eliot there was no nobler sphere of work for an Englishman than the House of Commons, and his example has not been without followers. Seneca and Cicero are on his lips, as the later Puritans had the Bible on theirs, and his eloquence marks the beginning of parliamentary oratory. With a strong and clear view of constitutional government, Eliot was no republican ; he held to the notion that the king must depend on the decisions of parliament. Time was to show that this notion, in the event of a collision between king and parliament, was to make parliament the predominant partner.

On his first entry into the House of Commons as member for St. Germans, in 1614, Eliot was the friend of Buckingham—whom he had met as a youth abroad—and on Buckingham's rise to the lord high admiralty Eliot was knighted and became vice-admiral of Devon.

The fidelity of his service to the State as vice-admiral brought an unpleasant experience of the will of princes. Grappling with the scourge of piracy which afflicted the seaports and shipping

<sup>1</sup> "In Eliot's composition there was nothing of the dogmatic orthodoxy of Calvinism, nothing of the painful introspection of the later Puritans. His creed, as it shines clearly out from the work of his prison hours, as death was stealing upon him—*The Monarchy of Man*—was the old heathen philosophic creed, mellowed and spiritualised by Christianity. Between such a creed and Rome there was a great gulf fixed. Individual culture and the nearest approach to individual perfection for the sake of the State and the Church, formed a common ground on which Eliot could stand with the narrowest Puritan."—S. R. Gardiner.

trade of the West of England, Eliot accomplished the arrest of Nutt, a notorious sea-robber. But Nutt had friends in high places, and Eliot found himself lodged in the Marshalsea prison over the business. He was released on Buckingham's return from the continent, for the charges were absurd, and in 1624 returned to the House of Commons as member for Newport. Two years later Eliot was estranged from Buckingham—convinced that the favourite of the king was an evil counsellor—and had become the recognized leader of the House of Commons. Once assured in his mind that Buckingham was responsible for the policy of the king, Eliot became his implacable opponent. For the policy of the crown in not making war upon Spain, in relaxing the penal laws against Roman Catholics, and for the mismanagement of the war on the continent in support of the Protestants, Eliot held Buckingham responsible. In answer to the demand of Charles for money in 1626, Eliot insisted that an inquiry into past disasters should precede supply, and that Buckingham should be impeached. Not the king but his minister is to blame, Eliot maintained, for all that was wrong in the State, and this very speech strikes the note of the campaign that was beginning. Buckingham was not responsible to Charles alone, in the eyes of Eliot and his friends, but also to parliament.<sup>1</sup>

Charles, quite unable to fathom the depth of the parliamentary discontent, or to note the strength of the current against absolutism, fell back upon the

<sup>1</sup> Eliot's argument "was a claim to render ministerial responsibility once more a reality, and thereby indirectly to make parliament supreme."—S. R. Gardiner.

old Tudor doctrine of sovereignty, the doctrine of the high Anglican party in the Church of England, that the king was responsible for his acts to God alone. "Parliaments are altogether in my calling," he replies to the House of Commons.

Only twenty-five years had passed since Bacon had declared, "the Queen hath both enlarging and restraining power: she may set at liberty things restrained by Statute, and may restrain things which be at liberty." Twenty-three years more were to see monarchy abolished and the king beheaded. Eliot, standing midway between Bacon and Bradshaw, cleaves to the theory of constitutional government and persists in the impeachment of a minister in whom parliament had no confidence.

The prologue of impeachment declared in the plainest language the responsibility of the king's ministers to parliament, and the responsibility of parliament to the nation: "The laws of England have taught us that kings cannot command ill or unlawful things, and whatsoever ill event succeed, the executioners of such designs must answer for them."

And now the issue was fairly set, and the battle begun between Charles and the House of Commons. In that year, 1626, no man in England could foretell the result.

Charles, ill-advised to the end, believed he could overawe the Commons by a display of might, and was beaten. Twice he had Eliot arrested before the final imprisonment which ended Eliot's life.

The loyalty of the House of Commons to its leader compelled Charles to release Eliot, after sending him to the Tower for his attack on Buckingham.

Then dissolving parliament in June, 1626, and falling back on a forced loan, the king was met by wide refusals, and Eliot, with Hampden and others, suffered imprisonment over this. Eliot was also deprived of his vice-admiralship and struck off the roll of justices of the peace.

Driven to call a parliament for the third time in 1628, the king was faced by a stronger opposition than ever.

Eliot, now member for Cornwall, throughout the session continued the attack on arbitrary taxation, and with the lawyers Seldon and Coke carried the Petition of Right to stop the illegal imprisonments, the enforced billeting of soldiers, and forced loans. Buckingham, slain at Portsmouth, no longer troubled the commonwealth ; but Wentworth, ambitious to use his powers in the service of the government, had left the popular side for the king ; while Laud, and Weston, the chancellor of the exchequer, were daily preaching to Charles the divine right of kings and to his subjects the duty of passive obedience.

The following year both Eliot and Pym attacked the ecclesiastical policy of Laud. To them the established religion of England, settled on the Protestant basis by Elizabeth, was being definitely changed in a Catholic direction without the sanction of parliament, and in the very teeth of the opposition of the House of Commons. High-church clergymen, like Montague and Mainwaring, holding to the full a Catholic interpretation of the Book of Common Prayer, were only censured by the House of Commons to be promoted by the crown. Laud preaching a royal supremacy undreamt of by the great archbishops before Henry VIII., combined

with it a doctrine of ecclesiastical independence, owning no allegiance to Rome, equally novel.

Eliot, stoical in his beliefs, and Pym, whose Calvinism was tempered by common sense, regarded with horror the revival in the Church of England of Catholic doctrines concerning the sacraments and the priesthood. They had done what they could to check any indulgence to Roman Catholics in England, and it was monstrous to them that the Church of England, whose formularies and ritual had been defined by parliament for the maintenance of Protestantism, should be expanded to reintroduce doctrines and practices essentially Catholic. But for the time the House of Commons was powerless in the matter, and only sixteen years later was Laud to expiate on the scaffold his Anglo-Catholicism, dying a veritable martyr for the high Anglican doctrine. "None have gone about to break parliaments but in the end parliaments have broken them," declared Eliot on March 2nd, 1629, and Laud, no less than Charles and Wentworth, was to prove the truth of the warning.

If parliament could do nothing in that year, 1629, to stop Laud's policy, it could at least defend the privileges of its members. The goods of John Rolle, M.P., had been seized by the king's officers because their owner had refused to pay tonnage and poundage on demand, and at once Eliot was up in arms in defence of the privileges of his fellow member, whose liberties had been interfered with.

Pym was for a wider view of the matter—objecting to the question being narrowed down to a breach of privilege. "The liberties of this House," he argued, "are inferior to the liberties of this king-

dom. To determine the privilege of this House is but a mean matter, and the main end is to establish possession of the subjects, and to take off the commission and records and orders that are against us." With Pym it was not Rolle, the member, who had been ill-used, but Rolle the British subject, and it was for the liberties of the subject he strove, holding the freedom of parliament as but a means to that end.

Eliot, a House of Commons man, through and through, saw in the welfare of parliament the welfare of the nation, and stuck to his point, carrying the House with him, that the privileges of a member extended to his goods. To this Charles sent word that what had been done had been done by his authority. The only question now was, how long would it be before the king dissolved parliament.

On the second of March, when the House met, the speaker's first word was that the king had ordered an adjournment till the tenth, and that no business could be transacted. Eliot insisted on moving his resolutions, and the speaker was held down in his chair. Then the serjeant-at-arms attempted to remove the mace, and was promptly stopped, while the key of the House was turned from within.

Eliot moved his declaration, beginning with the famous words: "By the ancient laws and liberties of England, it is the known birthright and inheritance of the subject, that no tax, tallage, or other charge shall be levied or imposed but by common consent in England; and that the subsidies of tonnage and poundage are no way due or payable but by a free gift and special act of parliament."

The resolutions were carried with loud shouts of

assent, two members guarding the speaker, and the door was flung open ; the sitting was over.

A royal proclamation for dissolving parliament followed on the fourth of March, and Eliot, with eight other members, was summoned to appear before the Privy Council.

From the hour of that summons John Eliot's liberty was over, and not for eleven years was England to have another parliament.

For the fourth time Eliot was a prisoner. He declined altogether to give an account of what he had said in parliament, or to acknowledge any right of interference with the proceedings in parliament. To the crown lawyers his reply was to stand on the privileges of a member of the House of Commons. "I refuse to answer," he said, "because I hold that it is against the privilege of parliament to speak of anything which is done in the House." He insisted that he was accountable to the House alone, and that no other power existed with a constitutional right to inquire into his conduct there.

At the end of October Eliot was removed from the Tower to the Marshalsea, and then in January, 1630, he was charged in the King's Bench with two other members, Holles and Valentine, with conspiring to resist the king's lawful order, to calumniate ministers of the crown, and to assault the speaker. Again Eliot refused to acknowledge the jurisdiction. He was fined £2,000, and sent back to the Tower.

To the last Eliot's loyalty to the House of Commons remained unshaken. He had but to acknowledge that he had done wrong, to admit that he had offended, and the prison doors would have opened to him. But to make this acknowledgment

was to deny the sacred liberty of parliament, to admit wrong was to betray the House of Commons. To John Eliot the welfare of the House of Commons was a national cause—dearer than life. To betray its honour was to betray the State. The loyalty of John Eliot to the House of Commons was interwoven with his devotion to the State, but it was something England had never seen before, and never saw again. “He learned to believe, as no other man believed before or after him, in the representatives of the nation.” (Gardiner.)

The character and temperament of Eliot must be taken into account in understanding this passionate belief in the House of Commons. It was not as a great thinker but as a great orator he had risen to the leadership of the House of Commons. He saw in his mind, as no other man saw at the time, a perfectly balanced constitution of king, lords, and commons. In parliament was the best wisdom of the country placed at the service of the crown. In the crown was the appointed ruler who, with his ministers, had but to come to parliament for advice and counsel. So it seemed to John Eliot; and single-minded himself, he could not realise that in the House of Commons were plenty of men of but passing honesty, and that Charles and Laud and Wentworth were fundamentally opposed to his views of constitutional government, and bitterly hostile to the growing powers of the commons.<sup>1</sup>

<sup>1</sup> “He (Eliot) was to the bottom of his heart an idealist. To him the parliament was scarcely a collection of fallible men, just as the king was hardly a being who could by any possibility go deliberately astray. If he who wore the crown had wandered from the right path, he had but to listen to those who formed, in more than a rhetorical sense, the collective wisdom of the nation.”—S. R. Gardiner.

Months passed, and John Eliot's health gave way in the confinement in the Tower, but his steadfastness was unchanged. He corresponded with his friend John Hampden, wrote his treatise on the *Monarchy of Man*, and calmly awaited his end. An application on behalf of his friends and his son for Eliot's release was made in October, 1622, on the ground that "the doctors were of opinion he could never recover of his consumption until such time as he might breathe in purer air." The reply of Chief Justice Richardson was "that, although Sir John were brought low in body, yet was he as high and lofty in mind as ever; for he would neither submit to the king nor to the justice of that court."

On November 27th, 1632, the spirit of John Eliot, unbroken by captivity, passed from the body his gaolers had deprived of life. A last appeal from his son to the king for the removal of his father's body into Cornwall, there to lie with those of his ancestors at Port Eliot, received the curt refusal, "Let Sir John Eliot's body be buried in the church of the parish where he died." And so he was buried in the Tower, and no stone marks the spot where he lies.

John Eliot was but forty-two when he laid down his life for the principle of parliamentary government.

Any satisfaction that might have been felt by Charles and Laud at the death of the foremost antagonist to their policy of absolutism was fleeting. For if Eliot was dead, the cause he had championed with such conspicuous sincerity and courage was alive, and John Hampden and John Pym were at

hand to carry on the fight till Cromwell and his Ironsides were ready to end the battle.

Charles was determined that, until the commons should be more submissive, he would call no parliament, but would govern through his ministers alone. The difficulty was to find money.

In 1634 London and the seaports were persuaded to furnish supplies for ships on the pretext that piracy must be prevented. A year later and the demand was extended to the inland counties, and John Hampden, taking his stand on the Petition of Right which Charles had granted in 1628, declined to pay. Ten out of twelve of the king's judges had decided that ship-money might be enforced if the kingdom appeared to be in danger, but against this declared legality there was the decree of parliament forbidding forced loans or taxes without parliamentary sanction.

On this resistance of the ship-money Hampden's fame has been chiefly built up. The amount was small—only a matter of some twenty shillings—the issue was of a first importance. It was clear to Hampden that if the king could raise money by such methods, what need would there be in the royal mind for the calling of parliament at all? The question was forced upon him: Was parliament an essential part of the constitution? The judges had declared ship-money was legal, other taxation and forced loans could easily find justification on the judicial bench, and thus the crown obtain its revenue, and England ruled without any let or hindrance from its citizens. To admit the position was to see the work of centuries undone, and the old contest in the land for liberties in return for taxes abandoned.

Hampden's refusal to pay ship-money was a declaration for parliamentary government. No more a republican than Eliot or Pym, Hampden could see that either crown or parliament must be supreme in the affairs of the nation.<sup>1</sup> The constitution was not to be balanced so evenly as Eliot had believed. Eliot himself had been deprived of life for maintaining, not the supremacy but the liberty of parliament. For John Hampden the evils of royal supremacy were obvious and present: misrule, the restoration of a religion banished by authority of crown and parliament, and disliked and feared by the majority of serious-minded people in the country, and the imprisonment of all who claimed the old freedom of parliament.

The case was decided against him in the law courts, but five of the twelve judges supported Hampden's contention that the resistance to payment was valid, and the arguments for his defence were published far and wide. "The judgment proved of more advantage and credit to the gentleman condemned than to the king's service."<sup>2</sup>

Three years later, and Charles was forced to summon parliament to get money for his war in Scotland—the "Bishop's War," perhaps the most hopeless of all his ventures.

Parliament met in April, and its temper was so unfavourable to the desires of the king, for the forcible conversion of the Scots to episcopacy, that it was dissolved in three weeks. John Pym was

<sup>1</sup> "His (Hampden's) distinction lay in his power of disentangling the essential part from the non-essential. In the previous constitutional struggle he had seen that the one thing necessary was to establish the supremacy of the House of Commons."—S. R. Gardiner.

<sup>2</sup> Clarendon.

notable in that "Short Parliament" as the spokesman of the aggrieved country party, and the commons decided that the grievances of the nation must be considered before supplies were voted. The Scotch war was intolerable to Pym and Hampden. They had no objection to episcopacy as long as bishops were men of Protestant convictions. It was Laud the "Anglo-Catholic," Laud the preacher of the divine right of kings, not Laud the Archbishop of Canterbury, whom they detested, and they had no relish for the expenditure of English life and treasure in the forcing of Laudian doctrine on Protestant Scotland.

In the long eleven years of silence from the utterance of parliament things had been going steadily from bad to worse in England, Pym made out. Naturally conservative in mind, seeing in the constitution of king and parliament an admirable instrument of government, and in the Established Church of England an excellent expression of the Protestant religion, Pym had found that with parliament suspended the Protestantism of the Established Church had been steadily undermined by Laud's policy, and the revival of some estranged Catholic doctrines and practices had proceeded apace. Without parliament there was no security for national well-being. "Powers of parliament are to the body politic as rational faculties of the soul to man," he declares in April, 1640.

Pym had entered the House of Commons with Eliot in 1614, and had been imprisoned in that year for his boldness. In 1620 he had been one of the "twelve ambassadors" to James I., for whom that king had ordered chairs to be set in Whitehall.

With Eliot and Hampden he had pressed for Buckingham's impeachment and for the Petition of Right. Now in 1640, John Pym, in his fifty-sixth year, was about to become the accredited leader of the parliamentary party, to be called "King Pym" by his enemies at the court, and to pass away when the long constitutional struggle was being settled on the field of civil war. Unimaginative, and averse from new ideas, Pym had a quite clear perception of the business of the House of Commons, and of the fitting relations of king and parliament. The crown, the lords, the commons were all recognized and necessary elements in the constitution, but their importance was not equal. The collective assembly of parliament had prevailed over the crown more than once; to Pym, the Laudian "divine right" was a novelty, and nonsense at that. Parliament could do much of its work with or without royal approval, and of the two Houses, if the Lords were unwilling to work with the lower House, the Commons could "save the kingdom alone."

In the autumn Charles was driven again to appeal to parliament, and in November, 1640, the "Long Parliament" met, only to be dissolved thirteen years later by the arms of Cromwell. To the eleven years of "personal government" by Charles succeed thirteen years of parliamentary government, and then the House of Commons, now too enfeebled to endure, itself goes down before a military dictatorship.

Pym anticipated the coming struggle by riding over England on the eve of the elections to the Long Parliament and urging the electors to return men to the House of Commons resolute and alive

to the crisis. The response was unmistakable. Parliament assembled to find some remedy for the distresses of the country before voting any money for the purposes of the crown. Enormous numbers of petitions were presented, and the House of Commons appointed its committees to attend to and report on the complaints.<sup>1</sup>

Before the year closed the House of Commons had struck at the power of Laud and Wentworth (now the Earl of Strafford), and the two ministers lay in prison impeached for high treason. Winden-bank, Charles's secretary of state, and Finch, the chancellor, were already fled over seas.

It was Pym who went to the bar of the House of Lords to summon Strafford to surrender, and it was Pym who opened the charge of impeachment the following March. As in Eliot's time, Hampden is content to be overshadowed by his friend, though his was the greater influence in the House.

Clarendon has given us his view of Hampden at the opening of the Long Parliament :

When this parliament began the eyes of all men were fixed upon him, as their *patriae pater*, and the pilot that must steer the vessel through the tempests and rocks which threatened it. I am persuaded his power and interest at that time were greater to do good or hurt than any man's in the kingdom, or than any man of his rank hath had in any time ; for his reputation of honesty was universal, and his affections seemed so publicly guided, that no corrupt or private ends could bias them.

Baxter, it may be recalled, had written in the

<sup>1</sup> "The same men who, six months before, were observed to be of very moderate tempers, and to wish that gentle remedies might be applied, talked now in another dialect both of kings and persons ; and said that they must now be of another temper than they were in the last parliament."—Clarendon.

*Saints' Rest* that one of the pleasures which he hoped to enjoy in heaven was the society of John Hampden. The name of Hampden was blotted out in the copies published after the Restoration. "But," wrote Baxter, "I must tell the reader that I did blot it out, not as changing my opinion of the person."

The work of Pym and Hampden is conspicuous at the beginning of the Long Parliament. The Star Chamber and High Commission Courts are abolished. Ship-money and all enforced taxation unauthorised by parliament are declared illegal. Oliver Cromwell's motion for annual parliaments is amended into an act for triennial parliaments to be called with or without royal summons. Strafford—the only strong minister Charles had—perished on Tower Hill in May, both Pym and Hampden supporting impeachment instead of attainder, and voting for the fallen minister to be allowed the use of counsel at his trial. That Strafford was a criminal and a traitor ready to use his Irish army for the suppression of the English parliament Pym had no doubt.

Still Charles would not admit the position lost, and still struggled to govern, not through parliament, but by personal rule. The death of Strafford, though approved by all supporters of the House of Commons, rallied the king's friends. The House of Lords was no longer quite at one with the Commons in the contest. In the House of Commons a royalist party emerges to oppose Pym, and the beginning of party government is seen. Overtures are made by Pym to the queen—to be disregarded, of course; though the tide is setting towards

revolution, yet Pym and Hampden are far from revolutionaries. They are willing to end the political power of the bishops by turning them out of the House of Lords, but have only moderate sympathy with the root-and-branch Puritans who would abolish episcopacy.

In the Grand Remonstrance which Pym laid before the House of Commons in November, 1641, the case for the Parliament was stated with frankness, but the demands were not revolutionary. The main points were securities for the administration of justice, and insistence on the responsibility of the king's ministers to parliament. The royalists fought the Remonstrance vigorously, and in the end it was only carried by a majority of eleven, 159 to 148. At the end of the debate the excitement was intense : "some waved their hats over their heads, and others took their swords in their scabbards out of their belts, and held them by the pommels in their hands, setting the lower part on the ground." Violence seemed inevitable, "had not the sagacity and great calmness of Mr. Hampden, by a short speech, prevented it."

On the 1st of December the Remonstrance, with a petition for the removal of grievances, especially in matters of religion, was presented to the king at Hampton Court. "Charles had now a last chance of regaining the affection of his people. If he could have resolved to give his confidence to the leaders of the moderate party in the House of Commons, and to regulate his proceedings by their advice, he might have been, not, indeed, as he had been, a despot, but the powerful and respected king of a free people. The nation might have enjoyed liberty

and repose under a government with Falkland at its head, checked by a constitutional opposition under the conduct of Hampden. It was not necessary that, in order to accomplish this happy end, the king should sacrifice any part of his lawful prerogative, or submit to any conditions inconsistent with his dignity." So Macaulay wrote. But the days of "governments" and "constitutional oppositions" were far off in 1641, and only the germ of party government is seen in the division of the House of Commons. To "submit to any conditions" from parliament was inconsistent with the king's notions of royal dignity, fostered by Laud to reject all criticisms as denials of the absolutism of the crown.

Charles promised an answer to the deputation which waited on him, and the answer was seen on January 3, 1642, when the king's attorney appeared at the bar of the Lords, impeached Pym, Hampden, Holles, Strode, and Hazlerig of high treason, in having corresponded with the Scots for the invasion of England, and demanded the surrender of the five members. "All constitutional law was set aside by a charge which proceeded personally from the king, which deprived the accused of their legal right to a trial by their peers, and summoned them before a tribunal which had no pretence to a jurisdiction over them."

The House of Commons simply declined to surrender their members, but promised to take the matter into consideration.

Then Charles, with some three hundred cavaliers, went to Westminster, and entered the House of Commons to demand the accused. But the five

members, warned of his coming, were out of the way and safe within the city of London. "It was believed that if the king had found them there, and called in his guards to have seized them, the members of the House would have endeavoured the defence of them, which might have proved a very unhappy and sad business." As it was, the king could only retire discomfited, with some words about respecting the laws of the realm and the privileges of parliament, and "in a more discontented and angry passion than he came in."

The invasion of the Commons was the worst move Charles could have made, for parliament was in no temper favourable to royal encroachments, and it had a large population at hand ready to give substantial support. The city of London at once declared for the House of Commons, ignored the king's writs for the arrest of the five members, and answered the royal proclamation declaring them "traitors" by calling out the trained bands for the escort of the members back to Westminster, and for the protection of the House of Commons.

Falkland and the royalist members turned for the moment from Charles at his unexpected attack on the House, the cavaliers of Whitehall, menaced by the trained bands from Southwark and the city, fled, and Charles, standing alone, left London.

War was now imminent. Pym and Hampden at once prepared for the struggle.

Pym secured the arsenals of Portsmouth and Hull for the parliament, but his efforts to obtain the control of the militia in the counties were frustrated for a time by the king's natural refusal to consent to the Militia Bill, which would have placed troops

under the orders of country gentlemen of the parliamentary party.

Both king and parliament had to break through all constitutional precedent. The king levied troops by a royal commission, and Pym got an ordinance of both Houses of Parliament passed appointing the lords-lieutenant to command the militia, and thereby published the supremacy of parliament over the crown. In April the king appeared at Hull to obtain arms, and was refused admission to the town by Sir John Hotham, the governor. Parliament expressed its approval of Hotham's act, the royalists gathered round Charles at York, and the final proposals of parliament for ending absolute monarchy were rejected by the king in June with the words, "If I granted your demands I should be no more than the mere phantom of a king."<sup>1</sup>

With this refusal all negotiations were broken off. Essex was appointed commander of the parliamentary army, and in August Charles raised the royal standard at Nottingham, and war was begun.

Hampden threw himself vigorously into the campaign. From his native county of Buckingham, the county which made him its representative in parliament in 1640, he raised a regiment of infantry.

<sup>1</sup> The Nineteen Propositions fairly express the views of Pym and Hampden at this time on the supremacy of the Commons. The main proposals were the authority of parliament: in the *sole* choice of the ministers of the crown, in the regulation of state policy, in the management of the militia, in the education of the royal children, in the remodelling of the discipline of the Church of England; and the guardianship by parliament of all forts and castles. It was of first importance in Pym's mind that parliament should have the control in military matters. Without the power of the sword the House of Commons could not ensure the personal safety of its members or the privileges of free debate against the enmity of the king. To command the army was to govern the country.

" His neighbours eagerly enlisted under his command. His men were known by their green uniform, and by their standard, which bore on one side the watchword of the parliament, 'God with us,' and on the other the device of Hampden, '*Vestigia nulla retrorsum.*' " In the first stages of the war, before any decisive blow had been struck, Hampden was busy passing and repassing between the army and the parliament. Clarendon praises his courage and ability on the field.

A skirmish at Chalgrove, on June 18th, 1643, between bodies of horse commanded by Rupert and by Hampden, ended in victory for the royalists. Hampden was seen riding off the field, "before the action was done, which he never used to do, and with his head hanging down, and resting his hands upon the neck of his horse." He was mortally wounded, for two carbine balls were lodged in his shoulder, and reached Thame only to die six days later.

The death of Hampden—at the age of 49—came at a dark hour in the early fortunes of the parliamentary army, and deepened the gloom. "The loss of Colonel Hampden goeth near the heart of every man that loves the good of his king and country, and makes some conceive little content to be at the army now that he is gone." But Pym remained, and Cromwell and Vane, and many another resolute House of Commons man.

Pym's health was already broken when Hampden fell, but he lived to accomplish the alliance of the English Puritans and the Scotch army, and, as the price of this alliance, the abolition of episcopacy and the adoption of Presbyterianism in the Church

of England. The Solemn League and Covenant was accepted by parliament, and imposed on the nation in September. Henceforth the parliamentary army was pledged to extirpate "Popery, prelacy, superstition, schism and profaneness"; to bring "the Churches of God in the three kingdoms to the nearest conjunction and uniformity in religion"; to "preserve the rights and privileges of the parliament and the liberties of the kingdom; and to unite the two kingdoms in a firm peace and union to all posterity."

The taking of the covenant—a political necessity—was John Pym's last work. He was ten years older than Hampden, and his character was ruggeder and sterner and without the charm of the younger man. But Pym's was the greater genius in politics, and his scheme of constitutional government was to be fulfilled in England at a later season.

John Pym died on December 8th, 1643, and his body was buried in Westminster Abbey—only to be turned out at the Restoration and removed to St. Margaret's churchyard.

With Pym and Hampden gone, henceforth the conduct of parliament was in other hands, and the day of moderate statesmanship had passed.

The war undertaken to preserve the liberties and establish the supremacy of the House of Commons was to bring in its train not only the abolition of monarchy and the House of Lords, but the suppression of the House of Commons itself.

Important to the nation as the issues at stake were, most people in England took hardly any more part or interest in the great civil war than they had done in the Wars of the Roses. "A very large

number of persons regarded the struggle with indifference. . . . In one case, the inhabitants of an entire county pledged themselves to remain neutral. Many quietly changed with the times (as people changed with the varying fortunes of York and Lancaster). That this sentiment of neutrality was common to the greater mass of the working classes is obvious from the simultaneous appearance of the club men in different parts of the country, with their motto, 'If you take our cattle, we will give you battle.'<sup>1</sup>

How could it be otherwise? Supremacy of King, or supremacy of Commons,—seed time and harvest remain, and the labourer and the artizan must needs do their day's work.

Not till the deposing of the Stuarts—forty-five years after John Hampden's death—is the supremacy of parliament over the crown arrived at by general consent, to become a recognized and settled thing in British politics. By the middle of the nineteenth century the House of Commons is unmistakably the ruling power in the constitution, and the labours of Eliot, Hampden and Pym are vindicated.

In our own day changes in the balance of constitutional power may be noted. The supremacy of the House of Commons is quietly disappearing before the growing popularity of the crown, the reawakened activity of the House of Lords, and the steady gathering of the reins of power into the hands of the Cabinet and Executive. As the crown in the last twenty years has increased in popular esteem, so the influence and importance of the

<sup>1</sup> See G. P. Gooch, *History of Democratic Ideas in the Seventeenth Century*.

Commons has waned in the country; and this waning influence of the Lower House has been further diminished by the frequent rejection and revision of its measures by the House of Lords.

The power of the Executive has also been obtained at the expense of the power of the Commons. The Cabinet, rather than the House of Commons, holds the supremacy to-day, and the direction of foreign policy, and the making of international treaties are no more within the authority of the House of Commons than are the administration of Egypt and India. Pym and Hampden fought and gave their lives for the right of the House of Commons to control the ministers of the crown and to order the policy of these ministers. By its own consent, and not from pressure from without, the House of Commons has silently surrendered this right, and has agreed that the policy of its Foreign Minister for the time being—whether he be Liberal or Conservative—must not be subject to reproof, still less to correction. In home affairs administrative order steadily supersedes statute law.

In theory ministers are still subject to the House of Commons. In actual practice they can rely on not being interfered with as long as their party has a majority in the House. When the price of effective interference with the conduct of affairs is a defeat of the Cabinet and a consequent dissolution, the payment is more than members of parliament are prepared to make.

Given the sense of security of social order and of the administration of justice, the nation, generally, no more heeds the passing of the supremacy from the

House of Commons, than it heeded the winning of that supremacy.

The Laudian doctrine in the Church of England, revived at the Restoration, disappeared with the passing of the non-jurors at the close of the seventeenth century. But its Anglo-Catholic teaching was renewed by the Oxford Movement, early in Queen Victoria's reign, and has largely changed the whole appearance of the Church of England. The modern high Anglican, claiming, as Laud claimed, the right to interpret the Book of Common Prayer as a Catholic document, but no longer the advocate of any theory of divine right of kings, or the champion of any particular political creed, has travelled indeed far beyond Laud's very limited success in winning support for Catholic doctrine and ritual in the Church of England. Laud was beaten by the opposition of parliament; his present day successors in the Church of England have prospered in spite of that opposition, and have triumphed over acts of parliaments, adverse judicial sentences, privations and imprisonments. But with Laud the movement was directed by bishops and approved by the king, the modern Laudian movement was banned by bishops and disfavoured by all in high authority.

To-day nearly every Catholic doctrine, save papal supremacy, has its expounders and defenders in the Church of England, and Catholic rites and ceremonies are freely practised.

Laud, dying on the scaffold in 1645 at the hands of parliament, is amply avenged in the twentieth century by the victorious high-churchman. The Laudian clergy of the Established Church can now

maintain their Anglo-Catholic faith and practice, without any fear of parliamentary interference. For generally they enjoy a popularity and respect that the House of Commons does not willingly venture to assail.



John Lilburne and the  
Levellers

1647 - 1653

AUTHORITIES : Lilburne's Pamphlets; *Calendar of State Papers*; *Charles I. and the Commonwealth*; *State Trials*; *House of Commons' Journals*; Whitelocke—*Memorials of English Affairs*; Clarendon—*History of the Rebellion*; W. Godwin—*History of the Commonwealth*; S. R. Gardiner—*History of the Great Civil War*; *History of the Commonwealth and Protectorate*; G. P. Gooch—*History of Democratic Ideas in the Seventeenth Century*.

# JOHN LILBURNE AND THE LEVELLERS 1647-1653.

FROM his coming of age in 1637 till the near approach of death, when he turned, a dying man, to the peaceful tenets of the Quakers, the life of John Lilburne is a record of twenty years of strife and battle with the rulers of the land.

He came of pugnacious stock, for John Lilburne's father, a well-to-do Durham squire, was the last man to demand the settlement of a lawsuit by the ordeal of battle, and came into court armed accordingly—only to be disappointed by an order from the crown, forbidding the proposed return to such ancient and obsolete methods of deciding the differences of neighbours.

Apprenticed to a wholesale cloth-merchant in London, John Lilburne soon became acquainted with Bastwick and Prynne, then busy over anti-episcopal pamphlets, and, keeping such company, naturally fell into the clutches of the Star Chamber. The charge against him was that he had helped to print and circulate unlicensed books, in particular, Prynne's *News from Ipswich*; and though Lilburne declared the charge to be false, on his refusal to take the usual oath to answer truly all questions put to him, the Star Chamber adjudged him guilty, and passed sentence—Lilburne was to be whipped from

the Fleet to Westminster, to stand in the pillory, and to be kept in prison.

The sentence was carried out on February 13th, 1638, but Lilburne was not cowed, for he scattered some of Bastwick's offending pamphlets on the road, and was gagged in the pillory to reduce him to silence. In prison things went hardly with Lilburne, for the authorities had him placed in irons and kept in solitary confinement, and only the compassion of fellow prisoners saved him from actual starvation in the two years and nine months of his imprisonment.

It was a rough beginning, and John Lilburne was henceforth an agitator and a rebel.

At the end of 1640 one of the first things done by the Long Parliament was to order Lilburne's release, and in the following May the sentence was pronounced "illegal and against the liberties of the subject." But illegal or not, the punishment had been inflicted, and with unbroken spirit, passionately resenting the tyranny that could so wrong men, Lilburne flew quickly to the attack on the authors of the injustice.

At Edgehill Lilburne held a captain's commission, and at Brentford he was taken prisoner by the royalists. Only the threat of swift reprisals by the parliamentary army saved him from being shot as "a traitor," and the following year he was again at liberty on an exchange of prisoners. Again, after fighting at Marston Moor, he fell into the hands of the royalists, and, shot through the arm, was kept in prison at Oxford for six months.

Brave soldier as Lilburne was, he left the army in 1645 (with the rank of Lieutenant-Colonel and

with £880 arrears of pay owing to him) rather than take the covenant and subscribe to the requirements of Cromwell's "new model."

And now monarchy having fallen from its high estate, Lilburne at once saw elements of tyranny in the Parliamentary government, and did not hesitate to say so. Courageous and intrepid, with considerable legal knowledge, a passion for liberty, and clear views on democracy, John Lilburne might have given invaluable service to the commonwealth. He had shown skill and daring in the war, his character for fearless endurance had been proved, his ability as a pamphleteer was considerable, and his capacity for work enormous; the government had either to treat Lilburne as a friend or foe—he was not to be ignored. The government, unwisely, decided Lilburne was an enemy, and for the next ten years he fought the rule of parliament and the army, his popularity increasing with every new pamphlet he produced. The price the commonwealth government paid for its opposition to Lilburne was to be seen on the death of Cromwell.<sup>1</sup>

From 1645 to 1649 Lilburne's vigorous criticisms of the men in power provoked retaliation, and brought him to Newgate. But in prison or out of prison Lilburne went on hammering away to establish a democratic constitution. The time was to come when Cromwell would find the Long Parliament had outlived its usefulness and would end it by main force. Lilburne was anxious in 1647 for a radical reform of parliament and a general manhood

<sup>1</sup> "By its injudicious treatment of the most popular man in England, parliament was arraying against itself a force which only awaited an opportunity to sweep it away."—G. P. Gooch, *History of Democratic Ideas in the Seventeenth Century*.

suffrage. His proposals were popular in the army, and had Cromwell supported him the whole future of English politics would have been changed.

When the Presbyterian majority in parliament proposed the disbandment of the army in 1647, the regiments chose their agitators, and, refusing to disband, drew up the "Agreement of the People" and the "Case for the Army." These documents give the political standpoint of the Levellers and the particular grievances to be remedied.

The distribution of parliamentary seats according to the number of inhabitants was the chief proposal in the "Agreement of the People," and the principles maintained are that "no man is bound to a government under which he has not put himself," and that "all inhabitants who have not lost their birthright should have an equal voice in elections."

The particular demands in the "Case for the Army" were the abolition of monopolies, freedom of trade and religion, restoration of enclosed common lands, and abolition of sinecures.

While Cromwell and Ireton were both bitterly against manhood suffrage, the council of officers to whom the Levellers appealed agreed to support it, without approving the rest of the programme.

Cromwell, relying on the army to prevent a royalist reaction—for Charles was plotting from Carisbrooke for aid from Scotland, and the royalists in the House of Commons were anxious to effect a reconciliation—would give neither time nor patience to the demands of Lilburne and the Levellers.

In vain the Levellers exclaimed, in 1648, "We were ruled before by King, Lords, and Commons, now by a General, Court Martial, and Commons :

and, we pray you, what is the difference?" Cromwell, at all costs, was determined to preserve the discipline of the army, and to suppress mutiny with an iron hand. For him the army which had beaten the cavaliers was the one safeguard against the return of the old order in Church and State. Lilburne and the Levellers, with the "Fifth Monarchy" men, had been the strength, the very life of the army that had conquered at Marston Moor and Naseby. The petition of the Fifth Monarchy men for the reign of Christ and His saints (which, according to prophecy, was to supersede the four monarchies of the ancient world) had no terrors for Cromwell; in other words, they demanded government exclusively by the godly, Independents and Presbyterians combining to elect all representatives, "and to determine all things by the Word." "Such a proposal might attract fanatics; it could not attract the multitude. The Levellers who stood up for an exaggeration of the doctrine of parliamentary supremacy were likely to be far more numerous."<sup>1</sup> To Cromwell the immediate thing was the royalist danger; it was no season for embarking on democratic experiments with which he had no sympathy. The breach between Cromwell and the Levellers widened, and as Cromwell became more and more impatient of their agitation, distrust and suspicion of Cromwell and of the newly-

<sup>1</sup> "Advocating direct government by a democratic Parliament and the fullest development of individual liberty, the Levellers looked with suspicion on the Council of State as a body which might possibly be converted into an executive authority independent of parliament, and thoroughly distrusted Cromwell as aiming at military despotism. Well-intentioned and patriotic as they were, they were absolutely destitute of political tact, and had no sense of the real difficulties of the situation, and, above all, of the impossibility of rousing the popular sympathy on behalf of abstract reasonings."—S. R. Gardiner, *History of the Commonwealth and Protectorate*.

appointed Council of State ripened, in 1649, into revolt.<sup>1</sup> It is the perennial misunderstanding between the statesman and the agitator. The one weighted by responsibility can rarely travel at the pace of the other, untrammelled by office, and as the distance between the two lengthens, it seems they are not even pursuing the same course—as, indeed, very often they are not.

Lilburne had none of Cromwell's anxieties as to a possible royalist reaction; for him the danger could not come from the dethroned king and his defeated cavaliers, but from a parliamentary oligarchy or a military dictatorship. But he over-estimated the strength of the Leveller movement in the army. With the presentation of the "Agreement of the People" the bulk of the discontent in the army diminished, and while the Levellers who remained became in several regiments openly mutinous, the movement generally died down, so that when the revolt came, it was suppressed without difficulty.<sup>2</sup>

Lilburne was out of prison at the beginning of 1649. He took no part in the trial of Charles I., and let it be known that he doubted the wisdom of abolishing monarchy before a new constitution had been drawn up.

As neither the remnant of the Long Parliament

<sup>1</sup> S. R. Gardiner.

<sup>2</sup> The movement "had sprung into existence in response to a widely spread apprehension that the victory of the people might be rendered fruitless. Its call had found an echo in the ranks of the army, and by its admirable organization it had insisted that the leaders should hear what it had to say. It had powerfully influenced their conduct and had introduced a radical element into their programme. When this had been done, the soldiers felt that its *raison d'être* as a separate party had come to an end. The battle had been fought, and the victory, at least for the time, had fallen to Ireton."—G. P. Gooch, *History of Democratic Ideas in the Seventeenth Century*.

nor Cromwell and Fairfax were doing anything to set up this new constitution, Lilburne proceeded to lay a remonstrance before parliament, and to follow this up by his two pamphlets on "England's New Chains." He now urged that "committees of short continuance" should supersede the Council of State, that the Self-denying Ordinance should be put in force, "seeing how dangerous it was for one and the same persons to be continued long in the highest commands of a military power,"<sup>1</sup> that a new parliament should be elected, and the "Agreement of the People" proceeded with heartily. At the same time he called for army reform by a reconstruction of the General Council and the election of agitators.

The expulsion of five troopers from the army for directly petitioning parliament provoked another pamphlet—"The Hunting of the Foxes from Newmarket to Whitehall by five small beagles late of the army." The argument here was that Cromwell, Ireton, and Harrison ruled the council of officers, and that the council of officers ruled parliament and the nation. "The old king's person and the old lords are but removed, and a new king and new lords with the commons are in one House, and so we are under a more absolute arbitrary monarchy than before."

There was only one answer to be made to Lilburne's pen, and that was to arrest the man who held it, for the commonwealth had no one on its side who could reply to him. At the end of March Lilburne and three of his supporters, Walwyn,

<sup>1</sup> "In other words, not only Cromwell and Ireton, but also Fairfax, who had recently been elected a member of the House, were to be summarily cashiered."—S. R. Gardiner, *History of the Commonwealth*.

Prince, and Richard Overton were arrested as traitors, "England's New Chains" having been voted by parliament seditious and destructive of the government, and were committed to the Tower to await trial.

At once a petition was got up and signed by 80,000 persons for Lilburne's release, and a fortnight later—April 18th—another petition was taken to the bar of the House of Commons to the same effect. Parliament promised that the prisoners should have a legal trial, but declared the course of justice must not be interfered with. A large deputation of women also appeared at Westminster on April 23rd with a similar petition ; but these were forbidden to enter the House, and, admonished by members to "go home and wash their dishes," answered they would soon have no dishes to wash.<sup>1</sup>

Lilburne was not brought to trial till October, and in the six months' interval, though the output of democratic pamphlets continued from the Tower, the Leveller movement in the army ended in open mutiny and defeat.

Carlyle tells the story accurately enough of the mutiny in Whalley's regiment in Bishopsgate, London, on April 25th :

They want this and that ; they seize their colours from the cornet, who is lodged at the "Bull" there ; the general (Fairfax) and lieutenant-general (Cromwell) have to hasten thither, quell them, pack them forth on their march, seizing fifteen of them first to be tried by court-martial. Tried by instant court-martial, five of them are found guilty, doomed to die, but pardoned ; and one of them, Trooper Lockyer, is

<sup>1</sup> See the pamphlet "A Petition of Well-affected Women," 1649. There is something curiously familiar in the exhortation to the women.

doomed and not pardoned.<sup>1</sup> Trooper Lockyer is shot in Paul's Churchyard on the morrow. A very brave young man, they say; though but three-and-twenty. "He has served seven years in these wars," ever since the wars began. "Religious," too, "of excellent parts and much beloved"; but with hot notions as to human freedom, and the rate at which the milleniums are attainable. Poor Lockyer! He falls shot in Paul's Churchyard on Friday, amid the tears of men and women. Lockyer's corpse is watched and wept over, not without prayer, in the eastern regions of the city, till a new week come; and on Monday, this is what we see advancing westward by way of funeral to him:

About one thousand went before the corpse, five or six in a file; the corpse was then brought, with six trumpets sounding a soldier's knell, then the trooper's horse came, clothed all over in mourning, and led by a footman. The corpse was adorned with bundles of rosemary, one half stained in blood, and the sword of the deceased along with them. Some thousands followed in ranks and files, all had sea-green and black ribbon tied on their hats and to their breasts, and the women brought up the rear.

At the new churchyard at Westminster some thousands more of the better sort met them, who thought not fit to march through the city. Many looked upon this funeral as an affront to parliament and the army; others called these people "Levellers"; but they took no notice of any of them.<sup>2</sup>

In May one Corporal William Thompson rallied a body of Levellers at Banbury, published a manifesto called "England's Standard Advanced," and inveighed against the tyranny of courts-martial. Overwhelmed by force of numbers, Thompson

<sup>1</sup> "Unfortunately his friends, in petitioning for his release, rested their case on the ground that all sentences given by a court-martial were made illegal by the Petition of Right and the law of the land. Such a doctrine would have dissolved the army into chaos, and when Lilburne and Overton wrote to Fairfax, threatening him with the fate of Joab and Strafford, all chance of pardon was at an end. Lockyer firmly believed himself to be a martyr to the cause of right and justice." —S. R. Gardiner, *History of the Commonwealth*.

<sup>2</sup> See Whitelocke's *Memorials*, "The Army's Martyr," "A True Narrative," and "The Moderate" (1649).

escaped, and later died fighting alone near Wellingborough. Some twenty of his followers joined the mutineers of Scrope's regiment at Salisbury. Numbering some 1,200, these Levellers made their way by Marlborough and Wantage to Burford. Here Cromwell came up with the mutineers, and surprised them at midnight. Resistance was hopeless, and the majority at once surrendered. All were pardoned except Cornet Thompson (brother to William), and two corporals—Church and Perkins—who showed neither fear nor admitted any wrong on their part. These three men were shot in Burford churchyard on May 15th,<sup>1</sup> and with their deaths the Leveller movement was at an end.

But Lilburne was unsubdued. His new "Agreement of the Free People," published on May 1st, called for annual parliaments elected by manhood suffrage—pensioners, militant royalists, and lawyers excluded—and for the free election of unendowed church ministers in each parish. At the same time he disclaimed all connection with Winstanley's "Diggers"—political reform was Lilburne's demand.<sup>2</sup>

Released on bail in July, Lilburne issued in August an "Impeachment for High Treason against Oliver Cromwell and his son-in-law, James Ireton." In this his hatred of government by the army compels the admission that monarchy is preferable to a military despotism: "If we must have a king, I for my part would rather have the prince than any

<sup>1</sup> "So die the Leveller corporals. Strong they, after their sort, for the liberties of England; resolute to the very death."—Carlyle.

<sup>2</sup> Lilburne's attitude to Winstanley's propaganda was similar to the attitude of the political Chartists in the 19th century to Robert Owen's socialism.

man in the world. . . . For the present army to set up the pretended Saint Oliver or any other as their elected king, there will be nothing thereby from the beginning of the chapter to the end thereof but wars and the cutting of throats year after year ; yea, and the absolute keeping up of a perpetual army under which the people are absolute and perfect slaves."

Thereupon, instead of bringing him to trial, the government merely issued a warrant for Lilburne's arrest. The agitator met this by a stronger manifesto, "An Outcry of the Young Men and Apprentices of London," calling on the army to rise in support of a democratic parliament and to vindicate the men executed at Burford. Some response came from the garrison at Oxford, who summoned their officers to join in the demand for a free parliament, but no success attended this step.

At last in October Lilburne was brought to trial at the Guildhall, not on the charge for which he had been first committed to the Tower in March, but for the "treason" of his later pamphlets. The trial is memorable for Lilburne's demand that counsel should be assigned to him in the event of legal technicalities arising, and for his bidding the jury remember they were judges of law as well as of fact. His real defence lay in the question he had put so often : Was England to be governed by the sword and a mock parliament, or by duly elected representatives of the People? The jury understood that Lilburne was on trial for putting that question, and, agreeing with him, they acquitted him. The verdict was received with tremendous applause, and "a loud and unanimous shout" of

triumph went up from the citizens of London in the Guildhall.<sup>1</sup>

In December Lilburne was elected to the common council of the city, but parliament promptly declared the election void. "Fiercely as Lilburne attacked Cromwell, there was at times considerable liking between the two men, and they met on friendly terms before Cromwell went to Scotland in 1650. Cromwell assured Lilburne of his desire to make England enjoy the real fruit of all the army's promises and declarations," and friendly relations lasted till Cromwell's return. But, in Cromwell's absence, Lilburne charged Hazlerigg with corruption in the administration of justice concerning a disputed colliery lease in Durham, and parliament took up the matter. In January, 1652, it declared Lilburne's petition for redress a libel, and imposed a fine of £7,000 with a sentence of banishment for life.

This proceeding by parliament revived the methods of the Star Chamber in imposing a conviction and a sentence without trial, but the House of Commons was determined to stop Lilburne's activities at all cost.

Cromwell made no effort to hinder the conviction, and Lilburne insisted that Cromwell's professions of friendship were hypocritical, and that the general himself was responsible for the sentence.

<sup>1</sup> "Then ensued a scene, the like of which had in all probability never been witnessed in an English court of justice, and was never again to be witnessed till the seven bishops were freed by the verdict of a jury from the rage of James II."—S. R. Gardiner.

"In a revolution, where others argued about the respective rights of king and parliament, he spoke always of the rights of the people. His dauntless courage and his power of speech made him the idol of the mob."—Professor C. H. Firth, "Lilburne," *Dictionary of National Biography*.

For the time Lilburne retired to Holland, where he discussed favourably the chances of a royalist restoration. But on the expulsion of the Rump of the Long Parliament the agitator at once wrote off to Cromwell for permission to return to England, and getting no answer crossed to London in June, 1653, and settled in lodgings in Moorfields. He petitioned Cromwell and the Council of State for leave to remain unmolested, promising to live peacefully, but Cromwell, with the whole government on his shoulders, had no willingness to incur the risk Lilburne and his doctrine of popular rights involved to the safety of the State.

Lilburne was promptly arrested by Cromwell's order and brought to trial at the Old Bailey on July 13th. The government case was that he had returned to England knowing that a sentence of death was decreed by parliament if he broke his exile.

Lilburne's defence, in the main, was that the parliament which had passed sentence was dead, and that if Cromwell had acted justly in dissolving it, then its unjust actions ought not to be maintained ; if Cromwell had acted unjustly, why was he not punished ?

Again the jury acquitted him, and again the people of London expressed their satisfaction at the verdict, "the very soldiers sent to guard the court joining in the shouts, and beating their drums and sounding their trumpets as they passed along the streets to their quarters."

But "for the peace of the nation" Cromwell would not let Lilburne be at large. Back in the Tower, then at Guernsey, and then in Dover Castle for more than two years Lilburne was a prisoner.

His health was broken in 1656, and consumption had set in. Death was near, and for John Lilburne the days of "carnal sword-fighting and fleshly hustlings and contests" were over. He wrote to Cromwell from Dover Castle telling the Lord Protector of his conversion to Quakerism, and Cromwell, assured that there was to be no more agitation from "Free-Born John," granted his release, and a pension of 40s. a week.

The battle was over for John Lilburne, liberty could not stay the hand of death. The many imprisonments and close confinements had done their work, and rapid consumption marked down the man who had stood up against the whole might of Cromwell's government.

John Lilburne died at Eltham in August, 1657, at the age of forty. A year later, and his old antagonist, and older comrade-in-arms, Oliver Cromwell, Lord Protector, was dead, and the Commonwealth government which had contemned the agitation for democracy was doomed.

Winstanley the Digger

1649-1650

AUTHORITIES: Winstanley's Pamphlets; Whitelocke—*Memorial of English Affairs*; Clarke Papers; L. H. Berens—*Digger Movement in the days of the Commonwealth*.

## WINSTANLEY THE DIGGER 1649-1650.

**I**N the spring of 1649, the "Digger" movement revealed a strange and unexpected manifestation of the democratic spirit in England. Free communism had been the creed of more than one Protestant sect on the continent in the sixteenth century, and the Anabaptists had been conspicuously identified with the proposal. But in England John Lilburne and the Levellers were attacking the parliamentary government in the name of political democracy, and social agitation had been unknown since the Norfolk Rising of 1549, save for a riot against land enclosures at the beginning of James I.'s reign.

Gerrard Winstanley was the leader at the sudden outbreak of social discontent, and his "Digger" movement was to end this discontent and all other miseries of the time by getting rid of enclosures of common lands, and allowing people to plough these common lands and waste spaces, "that all may feed upon the crops of the earth, and the burden of poverty be removed."

Little is known of Winstanley, and the movement is shortlived. The "Diggers" never threatened the safety of the Commonwealth government as Lilburne and the Levellers did, for Winstanley's social doctrine included the non-resistance principles that later found exponents in the Society of Friends,

and the agrarian revolution he preached could hardly be accomplished without force of arms. What is notable about Winstanley is his witness to the fact that a social question existed—that he saw beyond the Civil War, and the strife for political liberties, a great mass of poverty unheeded; and seeing the miseries of his fellows resolutely thought out some cure for their distress, and did his best, as it seemed to him, to get this cure adopted.

Neither the Council of State nor the republican army had time or patience for Winstanley's schemes, and the "Diggers" were dispersed with little trouble; but Winstanley's religious teaching was to exercise considerable influence in the world when George Fox became its preacher, and his social teaching on the land question has thousands of disciples in Great Britain to-day.

Gerrard Winstanley was born in Lancashire in 1609.<sup>1</sup> He seems to have settled in London as a small trader and to have lost what money he had in business—cheated he says, "in the thieving art of buying and selling, and by the burdens of and for the soldiery in the beginning of the war"—so that he was obliged "to accept of the good-will of friends to live a country life." In the country Winstanley ponders the source of the ills around him, and, having some considerable gift of expression, gives utterance, in a number of pamphlets, to a cry for reform, and gathers followers.

In December, 1648, Winstanley (or one of his friends) issued the earliest of the Digger publications under the title of "Light Shining in Buck-

<sup>1</sup> See L. A. Berens, *Digger Movement in the Days of the Commonwealth*.

inghamshire—A Discovery of the Main Ground, Original Cause of all the Slavery of the World, but chiefly in England. Presented by way of a Declaration of many of the Well-affected in that County, to all their poor oppressed Countrymen in England. And also to the consideration of the present army under the conduct of the Lord Fairfax."

A month later and Winstanley publishes his "New Law of Righteousness: Budding forth to restore the whole Creation from the Bondage of the Curse. Or a glimpse of the new Heaven and the new Earth, wherein dwells Righteousness." Here, with a good deal of mystical religious phrasing (the author explains that when he was in a trance the message came to him), Winstanley proclaims his calling and unfolds his agrarian proposals :

And when the Lord doth show unto me the place and manner, how He will have us that are called common people manure and work upon the common lands, I will then go forth and declare it by my action, to eat my bread by the sweat of my brow, without either giving or taking hire, looking upon the land as freely mine as another's.

There is to be no forcible expropriation of landlords :

If the rich still hold fast to this propriety of Mine and Thine, let them labour their own lands with their own hands. And let the common people, that say the earth is *ours*, not *mine*, let them labor together, and eat bread together upon the commons, mountains, and hills.

For as the enclosures are called such a man's land, and such a man's land, so the Commons and Heath are called the common people's. And let the world see who labor the earth in righteousness, and those to whom the Lord gives the blessing, let them be the people that shall inherit the earth.

None can say that their right is taken from them. For let the rich work alone by themselves ; and let the poor work together by themselves. The rich in their enclosures, saying, *This is mine* ; and the poor upon the commons, saying, *This is ours, the earth and its fruits are common*. And who can be offended at the poor for doing this ? None but covetous, proud, idle, pampered flesh, that would have the poor work still for this devil (particular interest) to maintain his greatness that he may live at ease.

Was the earth made for to preserve a few covetous, proud men to live at ease, and for them to bag and barn up the treasures of the earth from others, that these may beg or starve in a fruitful land : or was it made to preserve all her children ? Let Reason and the Prophets' and Apostles' writings be judge. . . . For the earth is the Lord's ; that is the spreading Power of Righteousness, not the inheritance of covetous proud flesh that dies. If any man can say that he makes corn or cattle, he may say, *That is mine*. But if the Lord made these for the use of His creation, surely then the earth was made by the Lord to be a Common Treasury for all, not a particular treasury for some.

Leave off dominion and lordship one over another ; for the whole bulk of mankind are but one living earth. Leave off imprisoning, whipping, and killing, which are but the actings of the curse. Let those that have hitherto had no land, and have been forced to rob and steal through poverty ; henceforth let them quietly enjoy land to work upon, that everyone may enjoy the benefit of his creation, and eat his own bread with the sweat of his own brows. For surely this particular propriety of mine and thine hath brought in all misery upon people. First it hath occasioned people to steal from one another. Secondly it hath made laws to hang those that did steal. It tempts people to do an evil action, and then kills them for doing of it. Let all judge whether this be not a great evil.

In April, 1649, the time was ripe—so Winstanley and his friends judged—for making a start to get rid of this evil.

The Council of State, but a few months old, and much occupied with dangers in Scotland and Ireland,

and with mutinous Levellers in the army, was suddenly informed of the strange activities of "a disorderly and tumultuous sort of people" by one Henry Sanders, of Walton-upon-Thames.

Sanders' testimony affirmed that "there was one Everard, once of the army but was cashiered, who termeth himself a prophet, one Stewer and Colten, and two more, all living at Cobham, came to St. George's Hill in Surrey, and began to dig on that side the hill next to Camp Close, and sowed the ground with parsnips, carrots, and beans. On Monday following they were there again, being increased in their number, and on the next day they fired the heath, and burned at least forty rood of heath, which is a very great prejudice to the town. On Friday last they came again, between twenty and thirty, and wrought all day at digging. They did then intend to have two or three ploughs at work, but they had not furnished themselves with seed-corn, which they did on Saturday at Kingston. They invite all to come in and help them, and promise them meat, drink, and clothes. They do threaten to pull down and level all park pales, and lay open, and intend to plant there very shortly. They give out they will be four or five thousand within ten days, and threaten the neighbouring people there, that they will make them all come up to the hills and work: and forewarn them suffering their cattle to come near the plantation; if they do, they will cut their legs off. It is feared they have some design in hand."<sup>1</sup>

The date of this information was April 16th, and Bradshaw, the President of the Council, at once

<sup>1</sup> *Clarke Papers*, vol. ii.

asked General Fairfax "to disperse the people so met, and to prevent the like for the future, that a malignant and disaffected party may not under colour of such ridiculous people have any opportunity to rendezvous themselves in order to do a greater mischief."

Fairfax sent Captain John Gladman to attend to the matter, and Gladman reports three days later that Mr. Winstanley and Mr. Everard are the chief men responsible, that he "cannot hear that there have been above twenty of them together since they first undertook the business," and that Mr. Winstanley and Mr. Everard will wait upon Lord Fairfax. He adds: "I believe you will be glad to be rid of them again, especially Everard, who is no other than a mad man. I intend to go with two or three men to St. George's Hill this day and persuade these people to leave this employment if I can, and if then I see no more danger than now I do I shall march back again to London to-morrow." Gladman's opinion is that "the business is not worth the writing nor yet taking notice of."

The interview between Fairfax and Winstanley and Everard took place on April 20, and Everard explained that the Diggers "did not intend to meddle with any man's property nor to break down any pales or enclosures, but only to meddle with what was common and untilled, and to make it fruitful for the use of man: that they will not defend themselves by arms, but will submit unto authority; that as their forefathers lived in tents, so it would be suitable to their condition now to live in the same."

Fairfax evidently decided that the movement was

not so alarming as the Council of State had represented, for Winstanley and his Diggers resumed their work, and at the end of May, Fairfax, with the officers of the army, paid a visit to St. George's Hill. Winstanley returned "sober answers" to the inquiries of Fairfax, "though they gave little satisfaction (if any at all) in regard of the strangeness of their action." Winstanley's argument, often enlarged in his pamphlets, was that the people were dispossessed of their lands by the crown at the Norman Conquest, and that "the king who possessed them by the Norman Conquest being dead, they were returned again, being Crown Lands, to the Common People of England."

This was not conclusive to their visitors, and "some officers wished they had no further plot in what they did, and that no more was intended than what they did pretend." To the objection that the ground was too poor to repay cultivation, "the Diggers answered they would use their endeavours and leave the success to God, who had promised to make the barren ground fruitful." Public opinion gave out that the Diggers were "sober, honest men," and that "the ground will probably in a short time yield them some fruit of their labour, how contemptible soever they do yet appear to be."

Encouraged by Fairfax's "kindness and moderation," Winstanley appeals to him in June against the interference of the local landowners, and getting no response (for Fairfax had said that the Diggers were to be left to "the Gentlemen of the County and the Law of the Land"), publishes an appeal to the House of Commons against his arrest for trespass by the Lords of Manors in Surrey. The

House of Commons, occupied with State matters, turned an indifferent ear to Winstanley's complaint, and the leader of the Diggers sent a "Watchword to the City of London and the Army," telling the wrongs the Diggers suffered at the hands of the law for "digging upon the barren common"—how they were mulcted in damages at £10 a man, with costs at twenty-nine shillings and a penny, and taken in execution, and how their cows were seized by the bailiffs. At the end of November the very huts they had built were pulled down, and it was a hard winter for the little colony still left on St. George's Hill.

Winstanley does not merely relate his injuries in these publications, he is all the time urging that his plan for setting people upon the common lands is the needful thing in England, that a common ownership of land is God's will, and that the crown lands taken by the Normans must revert to the people on the execution of the king.

In the spring of 1650 an attempt was made to extend the digging propaganda—for the planting of St. George's Hill was doomed—and some of Winstanley's disciples made a tour through the counties of Middlesex, Bedford, Hertford, Huntingdon, and Northampton, settling down at last on some waste ground near Wellingborough. Here they were very soon arrested by a local justice of the peace, the Council of State ordered their prosecution, and the movement was suppressed.

To the Council of State these Diggers were "Levellers,"<sup>1</sup> "intruders upon other men's proper-

<sup>1</sup> Government rarely distinguishes between different schools of agitators.

ties," "seditious and tumultuous," against whom the public peace must be preserved.

Of Winstanley's future, when the days of the digging were over, nothing seems to be known. Only one pamphlet is issued by him after 1650—"The Law of Freedom in a Platform; or, True Magistracy Restored"—an open letter to Oliver Cromwell, February, 1652. With this final manifesto on the land question, and on the whole social question, as he saw it, Gerrard Winstanley disappears from history. In the multitude of prophets and preachers, visionaries and practical reformers of the Commonwealth, Winstanley is little heeded by his contemporaries. The importance of his mission is seen more clearly to-day, when statesmen, politicians, and philanthropists all urge agrarian changes and the excellence of land culture.

As to Winstanley's claim on behalf of the people to the common lands, the advantage of possession of these lands was realized by the landowners in the eighteenth century, and from 1760 to 1830 more than a thousand acts of parliament were passed for enclosing these lands.<sup>1</sup>

In "The Diggers Song," (of unknown authorship<sup>2</sup>), the outlook of Winstanley and his followers is expressed in popular form :

You noble Diggers all, stand up now, stand up now,  
You noble Diggers all, stand up now,  
The waste land to maintain, seeing Cavaliers by name,  
Your digging do disdain ; and persons all defame.  
Stand up now, stand up now.

<sup>1</sup> Between 1710 and 1867 the number of acres so enclosed was 7,660,439.

<sup>2</sup> *Clarke Papers*, vol. ii.

Your houses they pull down, stand up now, stand up now,  
Your houses they pull down, stand up now ;  
Your houses they pull down to fright poor men in town,  
But the Gentry must come down, and the poor shall wear the  
crown.

Stand up now, Diggers all !

With spades, and hoes, and plowes, stand up now, stand up  
now,

With spades, and hoes, and plowes, stand up now ;  
Your freedom to uphold, seeing Cavaliers are bold  
To kill you if they could, and rights from you withhold.

Stand up now, Diggers all !

Their self-will is their law, stand up now, stand up now,

Their self-will is their law, stand up now ;  
Since tyranny came in, they count it now no sin  
To make a gaol a gin, to starve poor men therein.

Stand up now, stand up now.

The Gentry are all round, stand up now, stand up now,

The Gentry are all round, stand up now ;  
The Gentry are all round, on each side they are found,  
Their wisdoms so profound to cheat us of our ground.

Stand up now, stand up now.

The Lawyers they conjoin, stand up now, stand up now,

The Lawyers they conjoin, stand up now ;  
To arrest you they advise, such fury they devise,  
The devil in them lies, and hath blinded both their eyes.

Stand up now, stand up now.

The Clergy they come in, stand up now, stand up now,

The Clergy they come in, stand up now ;  
The Clergy they come in, and say it is a sin  
That we should now begin our freedom for to win.

Stand up now, Diggers all !

The tithes they yet will have, stand up now, stand up now,

The tithes they yet will have, stand up now ;  
The tithes they yet will have, and Lawyers their fees crave,  
And this they say is brave, to make the poor their slave.

Stand up now, Diggers all !

'Gainst Lawyers and 'gainst Priests, stand up now, stand up  
now,

'Gainst Lawyers and 'gainst Priests, stand up now ;  
For tyrants they are both, even flat against their oath,  
To grant us they are loath, free meat, and drink and cloth.

Stand up now, Diggers all !

The club is all their law, stand up now, stand up now,

The club is all their law, stand up now ;

The club is all their law, to keep poor men in awe,  
But they no vision saw, to maintain such a law.

Stand up now, Diggers all !

The Cavaliers are foes, stand up now, stand up now,

The Cavaliers are foes, stand up now ;

The Cavaliers are foes, themselves they do disclose  
By verses, not in prose, to please the singing boys.

Stand up now, Diggers all !

To conquer them by love, come in now, come in now,

To conquer them by love, come in now ;

To conquer them by love, as it does you behove,  
For He is King above, no Power is like to Love.

Glory here, Diggers all.



Major Cartwright  
“The Father of Reform”

1775-1824

AUTHORITIES: *Life and Correspondence of Major Cartwright*, edited by his Niece, 1826; *A Memoir of John Cartwright the Reformer*, 1831; *The Times*, September 25th, 1824; Graham Wallas—*Francis Place*.

# MAJOR CARTWRIGHT “THE FATHER OF REFORM” 1775-1824.

**T**HE substance of Major Cartwright's life is told on the pedestal beneath his statue in the dingy garden of Burton Crescent, to the south of Euston Road, in London.

JOHN CARTWRIGHT,

Born 28th September, 1740. Died 23rd September, 1824.

The Firm, Consistent and Persevering Advocate of *Universal Suffrage*, Equal Representation, Vote by Ballot and Annual Parliaments.

He was the first English Writer who openly maintained the Independence of the United States of America, and although his distinguished merits as a Naval Officer in 1776 presented the most flattering Prospects of Professional Advancement, yet he nobly refused to draw his Sword against the Rising Liberties of an oppressed and struggling People.

In Grateful Commemoration of his inflexible integrity, exalted Patriotism, “profound Constitutional Knowledge,” and in sincere admiration of the unblemished Virtues of his Private Life,

THIS STATUE

was erected by Public Subscription near the spot where he closed his useful and meritorious career.

There is nothing false or exaggerated in this epitaph. Fox, in the House of Commons, testified to Cartwright's “profound constitutional knowledge.” Hazlitt, who never met Cartwright, classed

him with the men of one idea (and lingered over the subject), but the charge is ill-founded. It is true that for nearly fifty years, in season and out of season, Cartwright, a pupil of Locke in politics, contended publicly for annual parliaments and manhood suffrage, claiming personality and not property as the ground for enfranchisement, and insisting that while the right of the rich and the poor to the vote was equal, the need of the latter was far greater. But this agitation was by no means the limit either of his ideas or his activities.

Entering the navy at eighteen, John Cartwright, who came of an old Nottingham family, devised improvements in the gun service, and, made a lieutenant, was marked for high promotion. The revolt of the American colonies cut short his professional career. An innate love of liberty compelled the young naval officer to side with the colonists, and he writes in 1776 that it is a mistaken notion that the planting of colonies and the extending of empire are necessarily the same things. Self-governing colonies, he declares, bound to England only by "the ties of blood and mutual interests, by sincere love and friendship, which abhors dependence, and by every other cementing principle which hath power to take hold of the human heart," are to be desired.

Lord Howe put Cartwright's principles to the test by inviting him to join the expedition against the Americans, and Cartwright, who was "passionately attached to the navy," and had an immense admiration for Howe, could only answer that he was unable to take part in a war he thought unjust. With this refusal his naval services were ended, in spite of

Howe's quiet and dignified reply that "opinions in politics are to be treated like opinions in religion." (No word of reproach came from Howe, no taunt of want of courage or lack of patriotism.)

Cartwright never condemned all war. He urged in a letter to a nephew in the army that the answer to the question of the justice or injustice of a war decided whether justifiable homicide or wilful murder was committed by those engaged in battle. He hated standing armies and barracks and barrack life, and all the pomp and glory of militarism, as heartily as he hated the attempt to coerce the colonists. But no sooner was he out of the navy than, with a major's commission, he at once set to work to train the Nottinghamshire militia, only retiring from this post in 1791 when the government cancelled his appointment for attending a meeting called to celebrate the fall of the Bastille.

The militia in Cartwright's view was strictly a citizen army for home defence. "The militia," he wrote, "by its institution is not intended to spread the dominion or to vindicate in war the honour of the crown, but it is to preserve our laws and liberties, and therein to secure the existence of the State." Thirteen years before the fall of the Bastille Major Cartwright had the cap of liberty displayed on the banners and engraved on the buttons of the Nottinghamshire Militia. A greater service than providing symbols of liberty was rendered to the army by Cartwright in the matter of better clothing for the men. The misery endured by ill-clad sentries aroused his compassion and indignation, and Cartwright worried the government until it provided great-coats for all private soldiers.

The humaner courage is as conspicuous in John Cartwright's long life as his political enthusiasm.

Four times he risked his life to save others from drowning, rescuing two men from the Trent, a naval officer at sea, and, in late middle-life, a small boy who had fallen into the New River, near London. In the year 1800, hearing of a riot planned at Sheffield, Cartwright made his way alone to the barn where the conspirators were assembled, and stayed all night, reasoning with them against their project. In the morning the confederates, dissuaded from violence, quietly dispersed, and the riot was prevented.

An untiring advocacy of democratic politics earned for Cartwright, justly, the title of "The Father of Reform." He was the real founder of that movement for political reform, which in the nineteenth century swept away rotten boroughs, gave representation to all towns of importance, and extended the franchise to the great bulk of male householders in town and country; which to-day presses towards a general suffrage for men and women.

Major Cartwright began his speeches and pamphlets on behalf of political reform in 1776, just after his retirement from the navy, and his acceptance of the commission in the militia.

The ideas of the French Encyclopædists, the writings of Rousseau, and the revolt of the American colonists, had aroused a belief in social equality, and the "natural" rights of man, and this belief Cartwright championed till his death. His early pamphlets, beginning with "Legislative Rights of the Commonalty Vindicated," (1777) are heavy reading to-day, but in them Cartwright argued for

all the famous "six points" of the People's Charter of fifty years later—Universal Manhood Suffrage, Annual Parliaments, Vote by Ballot, Abolition of Property Qualification for Parliamentary Candidates, Payment of Members, and Equal Electoral Districts. He even uses the modern phrase in urging "one man one vote."

Unlike Thomas Paine, and many of the "Radical Reformers," Cartwright pleads for political democracy as the natural outcome of the Christian faith, maintaining that "No man can have a right sense and belief of Christianity who denies the equality of all conditions of men." Incidentally, challenged on the point of why not Votes for Women? Cartwright could only fall back on certain passages in the Bible to justify his objection to Women's Enfranchisement. Nothing was more abhorrent to his mind than the notion that government was a matter for "experts," an exclusive affair for persons with specially trained intelligences. "Of all the errors to which mankind have ever submitted their understandings," he wrote, "there is no one to be more lamented than that of conceiving the business of civil government to be above the comprehension of ordinary capacities."

The poor, because of their very poverty, had a need for the vote and for parliamentary representation which the man of property could not experience. This Cartwright emphasised in a petition he presented to the House of Commons as late as 1820:

And when your Honourable House shall further consider that the humblest mortal on earth is equally a co-heir of an immortality with the most exalted who now wears stars, or coronets, or crowns, your petitioner hopes that your Honour-

able House will rise superior to the mean thoughts and vulgar prejudices of the uncharitable among the wealthy, the ignorant, the interested, the vain, and the proud ; and will acknowledge that, in reference to the respective claims of legislative representation by the poor and the rich, the poor have equal right but far more need.

Enthusiasm and an entirely disinterested zeal for democracy kept the spirit of youth in Cartwright, and carried him at the age of 80 over a trial for sedition undisturbed. His zeal was not to be quenched. "Moderation in practice may be commendable," he declared, "but moderation in principle is detestable. Can we trust a man who is moderately honest, or esteem a woman who is moderately virtuous?"

This very allegiance to principle had its drawbacks in the world of practical politics, of corruption and compromise. Three times Major Cartwright stood for parliament: for the county of Nottingham in 1780, for Boston in 1806 and 1807 ; and on each occasion he was at the bottom of the poll. His nominations for Westminster in 1818 and 1819 received no serious support at all. The old major was no more distressed by any feeling of personal disappointment at these defeats than he was cast down at seeing no signs of the triumph of political democracy in his lifetime. At eighty-four we find him writing cheerfully, "To despair in a good cause is to approach towards atheism."

Cartwright did not live to see the passage of the great Reform Bill of 1832. Wilkes' motion for reform in 1776 had been negatived in the House of Commons without a division. In 1780 the Duke of Richmond's motion in the House of Lords for

manhood suffrage and annual parliaments was mocked by the outbreak of the Gordon ("No Popery") Riots in London on the very day the motion was made. Pitt's third and last effort for parliamentary reform was rejected in 1785. The French Revolution turned men's minds in Great Britain towards democracy, but reaction followed hard on the Terror in Paris, and for a time a government terror crushed every expression in favour of political liberty in England. Sir Francis Burdett became the parliamentary leader of the "radical reformers" early in the nineteenth century, and in 1809 found fifteen supporters in the House of Commons. Ten years later the government, in the face of a strong working-class movement for political reform, brought out the military against the people at a peaceful meeting held at Peterloo, near Manchester, and followed this up by six repressive acts of parliament, and a general prosecution of the leaders of the reform agitation.

Cartwright was eighty when, with several friends, he was charged "with being a malicious, seditious, evil-minded person, and with unlawfully and maliciously intending and designing to raise disaffection and discontent in the minds of his majesty's subjects."

All England knew that Major Cartwright was a single-minded and high-principled man, in whose heart was neither guile nor malice, a man who had proved his loyalty and patriotism over and over again, and was no more seditious than he was evil-minded or disaffected. Apart from his advocacy of political reform and his services to the militia, Cartwright had done much for farming and agriculture, he had helped Clarkson and Wilberforce in their

anti-slavery work, and he had called the attention of the government, as loudly as he could, to the defenceless state of the east coast against foreign invasion. Yet in 1820 a British jury, obedient to the orders of a political judge, found John Cartwright guilty of "maliciously intending and designing to raise disaffection and discontent," and a fine of £100 was inflicted.

Francis Place, the radical tailor of Charing Cross, in whose shop the later Chartists and Reformers were to be found, gives his impression of Major Cartwright as he knew him in old age :

"When he was in town he used frequently to sup with me, eating some raisins he brought in his pocket, and drinking weak gin and water. He was cheerful, agreeable, and full of curious anecdote. He was, however, in political matters exceedingly troublesome and sometimes as exceedingly absurd. He had read but little, or to little purpose, and knew nothing of general principles. He entertained a vague and absurd notion of the political arrangements of the Anglo-Saxons, and sincerely believed that these semi-barbarians were not only a political people, but that their 'twofold polity,' arms-bearing and representation, were universal and perfect."<sup>1</sup>

To Place, chief political wire-puller of his age, industrious and persistent in getting things done, with a typical cockney politician's scorn of disinterested enthusiasm, Major Cartwright appeared "troublesome" and "absurd"—Francis Place had quite an honest liking for the "old gentleman," as he called him, all the same. By the government Cartwright stood convicted as a "seditious, evi-

<sup>1</sup> See Graham Wallas, *Life of Francis Place*.

minded person." Posterity is content to know John Cartwright by the title his contemporaries conferred upon him—the Father of Reform—and to rank him as the foremost man in England in the eighteenth century to raise the standard of Political Democracy.



Ernest Jones and Chartism

1838-1854

AUTHORITIES: R. G. Gamage—*History of the Chartist Movement* ; Thos. Frost—*Forty Years' Recollections* ; Ernest Charles Jones—*Songs of Democracy* ; Graham Wallas—*Life of Francis Place* ; J. A. Hobson—*Ernest Jones*, in *Dictionary of National Biography* ; *The Times*, Jan. 27, 29 ; Mar. 31, 1869.

## ERNEST JONES AND CHARTISM 1838-1854.

THE Chartist agitation was at once the largest, the most revolutionary, and the least successful of all the serious political movements of the first half of the nineteenth century. For ten years, with varying fortune, it threatened the authority of parliament, and then slowly expired—destroyed by its own internal weakness and the quarrels of its leaders rather than by the repression of the government.

The failure of the great Reform Act of 1832 to accomplish any particular improvement in the lot of the mass of working people brought the Chartist movement to life,<sup>1</sup> and roused the politically minded leaders of the workmen to agitate for changes in the constitution that would place political power in the hands of the whole people.

The six points of the Charter, embodied in the "People's Charter" drawn up by Francis Place and Lovett in 1838, revived the old programme of Major Cartwright and, in substance, the earlier demands of John Lilburne and the Levellers. Universal manhood suffrage, the ballot, payment of members of parliament, equal electoral districts,

<sup>1</sup> "Disappointment bitter and wide-spread was following closely upon the inevitable failure of the extravagant expectations and overheated hopes which the agitation for parliamentary reform had kindled."—F. York Powell, *The Queen's Reign: a Survey*.

abolition of property qualification for members, and annual parliaments, these were the "six points" of the Charter, the platform of its advocates, and for ten years the hope of multitudes of earnest and devoted men and women.

Francis Place and the Working-Men's Association which gave Chartism its name and programme never had any considerable voice in its direction.<sup>1</sup>

Feargus O'Connor, who had sat in parliament from 1832 to 1835 for an Irish constituency, was from the first the real leader of the movement. His personality and his rhetorical powers roused the manufacturing districts in the North and the Midlands to form political unions for the Charter in 1838, and his presence dominated the first Convention, held in London, with Lovett for its secretary. Later, O'Connor's obvious weaknesses, his vanity and egotism, his want of self-control and that "one fatal disqualification for a leader of revolt—the fear of the police"<sup>2</sup>—left leadership in his hands, but left him a leader without followers.

Next to O'Connor stood another Irish orator, James Brontë O'Brien, a man of finer character, and clearer head, but smaller gifts of command.

South Wales, the manufacturing districts of Lancashire and Yorkshire, and towns like Birmingham, Leicester, and Northampton, were the strongholds of Chartism, and "in the dark days of the late thirties and early forties it was a real and dangerous power."<sup>3</sup> Feargus O'Connor never advocated an armed rising, and advised the abandonment of the huge torchlight processions; but pikes were being

<sup>1</sup> See Graham Wallas, *Life of Francis Place*.

<sup>2</sup> Herbert Paul, *History of Modern England*.

<sup>3</sup> *Ibid.*

fashioned and men were being drilled in preparation for a revolution that was to end the Whig rule, and give the working classes the reins of government. The circulation of the *Northern Star*, O'Connor's weekly paper, stood at 50,000 in those days.

Riots at Newport (Monmouth) and Birmingham in 1839, followed by several arrests and imprisonments of the Chartist leaders the following year, ended for the time all notions of a successful revolution. Lord John Russell declared strongly against manhood suffrage when the question was raised in the House of Commons, and on a division in the House the petition for the Charter was rejected by 237 to 48 votes.

The outbreak at Birmingham, provoked, in the first place, by the interference of a body of London police with an orderly meeting in the Bull Ring, was put down in two days by the soldiers ; but not till many houses had been attacked and a considerable amount of property destroyed. No robberies or petty thefts accompanied the riot.

At Newport the harsh prison treatment of Vincent, a Chartist advocate, convicted for what was held to be a political offence, brought a crowd of 10,000 men, led by Frost, William, and Jones, to demand his release. The insurgents had a few rifles and pikes, but were generally unarmed, and the fire of the military soon overpowered them. But lives were lost on both sides, and Frost and his two lieutenants were sentenced to death, though the sentence was at once reduced to transportation for life, and some years later to simple banishment from British dominions.

Feargus O'Connor, Bronterre O'Brien, and all the

chief speakers of the movement were brought to trial for seditious utterance in 1840, and in most cases sent to prison either for twelve months or two years.

With these imprisonments and the general election of 1841 came the first serious disintegration of the Chartist movement.<sup>1</sup> O'Brien and O'Connor differed vigorously on the question of election policy, and before they were released from prison were expressing their opinions in the *Northern Star*. O'Connor, full of wrath at the repressive treatment meted out to Chartists by the Whig Government, was for attacking the Whigs at the election, and O'Brien objected to this as a pro-Tory policy.<sup>2</sup>

The decision to run independent Chartist candidates for parliament in certain constituencies, and the failure of these candidates to get returned on the limited franchise of 1832, increased disunion in the Chartist ranks and brought demoralisation.

To make matters worse for the movement, several prominent Chartists left prison with fresh notions and ideas of reform, which had come to them in their long hours of solitude and reflection. Lovett, imprisoned in connection with the Birmingham riot, though he was entirely innocent of giving any encouragement to violence, on his release was full of vast plans for national education, convinced that

<sup>1</sup> "Want of leaders and organization, and the great difference in objects among the Chartists themselves, led to their failure. For a while Chartism was stayed."—Professor T. F. Tout, *England from 1689*.

<sup>2</sup> The differences between the two became more acute when Feargus O'Connor started his land colonization schemes a few years later. O'Brien opposed these schemes, which all ended in heavy financial losses, and urged sticking to political reform. From 1842 O'Brien was practically outside the Chartist movement, though it was not till 1848 he formally retired. He died in poverty in 1864, after giving some help to the middle-class radical movement for household suffrage.

education must precede political democracy. Vincent had become a strong temperance advocate, and henceforth must give himself to the work of a teetotal lecturer. Other men were for bringing in religion by "Chartist Churches."<sup>1</sup> Antagonism to the anti-corn law league of Cobden and Bright, and later his own "National Land Company" experiments, withdrew Feargus O'Connor from actual Chartist propaganda.

The movement languished. But in spite of government repression, the indifference of parliament, the hostility of the wealthier classes, and its own jarring elements of discord, Chartism was not dead.<sup>2</sup>

The misery of the English people kept it from death. With one in every eleven of the industrial population a pauper in 1842, general satisfaction with the state of government was impossible for men of strong social sympathies. Some exerted themselves, like Sadler and Oastler, in following Lord Shaftesbury's entirely disinterested and successful crusade against the horrors of factory oppression. Others supported the Free Trade agitation.

To one man, Ernest Jones, it seemed, in 1845, that before all else must come political enfranchisement, that the social miseries and discontents of

<sup>1</sup> A similar impulse fifty years later brought "Labour Churches" into existence.

<sup>2</sup> "The ministers had met the Chartist outbreaks with strong, repressive measures, and here they had the concurrence of parliament, which had no sympathy with the movement. The House of Commons, indeed, had little understanding of the processes that were maturing outside its walls. The industrial and the social evolution went on almost unnoticed by statesmen and politicians absorbed in the party controversy." — Sidney Low and Lloyd Sanders, *Political History of England, 1837-1901*. See also Hansard's *Parliamentary Debates* for these years.

England were not to be cured save by the people of England. The evils might be mitigated by ameliorative legislation, but it was not enough that the decencies of life—then very far beyond the reach of the mass of town and country labourers—should be secured for people; the main thing was that people should have freedom to work out their own industrial salvation.

So in 1846, Ernest Jones plunged boldly into Chartism. He quickly became a leader, and his reputation has endured: for Ernest Jones was the most respected, single-minded, and steadfast of the many who sat in Chartist conventions. Chartism for him was the cry of the uncared-for, because voteless, multitudes, and Ernest Jones was ready to give his life that the cry should move the rulers of the nation.

It was a bad time for England in 1846, that was plain,<sup>1</sup> and Ernest Jones, believing with the average Englishman that in politics lay the key to necessary change, was henceforth a Chartist advocate and till his death the faithful preacher of democracy. Without becoming a socialist, Ernest Jones, in his "Songs of Democracy" and in his speeches and newspaper writings, is clear that political enfranchisement was but the high road to social and economic reform, that the Charter was to bring a better distribution of wealth as the

<sup>1</sup> "The least satisfactory feature of English life in 1846 was the condition of the labouring classes. Politically they were dumb, for they had no parliamentary votes. Socially they were depressed, though their lot had been considerably improved by an increased demand for labour and by the removal of taxes in Peel's great Budget of 1842. That was the year in which the misery of the English proletariat reached its lowest depth." — Herbert Paul, *History of Modern England*.

consequence of a better distribution of political power.<sup>1</sup>

Ernest Jones was twenty-seven when he joined the Chartist movement. The son of an army officer — who had been equerry to the Duke of Cumberland — and educated on the continent, Ernest Jones came to England when he was nineteen, and was duly presented to Queen Victoria (as Robert Owen had been) by Lord Melbourne in 1841. He married a Miss Atherley, of Cumberland, and settled down in London, writing novels, verses, and newspaper articles. In 1844 he was called to the Bar, and two years later took the step which separated him from the friends and acquaintances of his social order, and placed him on the hard and strenuous road of the political agitator.

Averse from faction, realising the fatal folly of internal jealousies and strife, and alive to the importance of discipline in the army of revolt, Ernest Jones did his best to work with O'Connor—and was naturally charged with cowardice by the Chartists who hated O'Connor's supremacy. In 1847 he began writing in the *Northern Star*, and was joint editor with O'Connor of *The Labourer*. His "Songs of Democracy" were to the Chartists what Ebenezer Elliott's "Corn-Law Rhymes" were to the Free Traders, and his "Song of the Lower

<sup>1</sup> Stephens, a "hot-headed" Chartist preacher, put the case as he, a typical agitator of the day, saw it in 1839: "The principle of the People's Charter is the right of every man to have his home, his hearth, and his happiness. The question of universal suffrage is after all a knife-and-fork question. It means that every workman has a right to have a good hat and coat, a good roof, a good dinner, no more work than will keep him in health, and as much wages as will keep him in plenty."—See R. G. Gamage, *History of the Chartist Movement*.

Classes" has retained a place in the song-books of social democrats to our own day.

At the general election of 1847, when, to everybody's astonishment, Feargus O'Connor was elected member for Nottingham, Ernest Jones stood for Halifax, but though immensely popular at the hustings, he only polled 280 votes.

1848, the memorable year of revolutions abroad, saw Chartist once more a formidable movement in England. An enormous petition was again prepared for parliament, and the Chartists decided to carry the petition to the House of Commons after a mass meeting on Kennington Common on April 10th. Lord John Russell and his Whig government became thoroughly alarmed. The Duke of Wellington, as commander-in-chief, undertook to guard the safety of London, and garrisoned the city with troops, and protected the bridges, while 70,000 special constables (of whom Prince Louis Napoleon was one) were quickly enrolled. But on the government prohibition of any procession to Westminster, Feargus O'Connor at once decided against any collision between the people and the authorities. The mass meeting was held, some 50,000 persons were present, and O'Connor and Ernest Jones made speeches. Then the petition was sent off in a cab to parliament, and all was over.

O'Connor had boasted that the monster petition contained 5,000,000 signatures, but on investigation it was found that the signatures only amounted to 1,975,496, and many of these were duplicates and forgeries. Anti-Chartists had signed in several places, using ridiculous names, like "Pugnose,"

"Punch," and "Fubbs," or boldly signing as "Queen Victoria" and "Duke of Wellington."<sup>1</sup> Parliament gladly took advantage of O'Connor's characteristic exaggeration to discredit the whole movement. At the same time the government hastily prepared a bill to suppress the renewed agitation, and the "Treason Felony" bill was passed, making "open and advised speaking with seditious intent" a crime. This clause in the act only remained on the statute book for two years, but it was sufficient for securing the conviction of all prominent Chartist speakers.

Ernest Jones, unlike Feargus O'Connor, believed that the people should arm, and that a display of force was necessary for carrying the Charter. The failure of April 10th strengthened this belief, and for the next two months he was busy speaking in England and Scotland, urging the necessity for enrolling a national guard and forming a provisional government.

But in spite of great public meetings the movement was already breaking up. The Chartist Convention, which met in London on May 1st, dissolved on May 13th in hopeless disagreement, and Ernest Jones, who had attended as a member of the executive committee, exclaimed that "amid the desertion of friends, and the invasion of enemies, the fusee had been trampled out, and the elements of their energy were scattered to the winds of heaven." Still he tried to rally the broken ranks, and the government decided that the time had come to put the movement down by means of the new

<sup>1</sup> Charles Kingsley, who is said to have signed the petition, gives his view of April 10th in *Alton Locke*.

“Treason Felony” Act. Feargus O’Connor, now a member, was no longer dangerous to the authorities. His attendance in the House kept him from the agitation in the country, and Ernest Jones was the man to be struck at.

On May 29th and 30th Ernest Jones addressed great, but quite orderly, meetings in London, on Clerkenwell Green and Bishop Bonner’s Fields, and then proceeded to Manchester. Here he was arrested and put on trial with five other Chartists—Fussell, Sharpe, Williams, Vernon, and Looney. The judge had little patience for the prisoners, and Ernest Jones was frequently interrupted in his defence. In the end, he and his fellows were all found guilty of seditious speech, and Ernest Jones was sentenced to two years’ imprisonment, to find sureties, himself in £200 and two persons in £150, and to keep the peace for five years.

A number of police spies procured many more arrests and convictions by gaining admission to Chartist meetings, joining Chartist unions and inciting the members to violent speech and an armed conspiracy. By these means at the end of the year 1848 the government had succeeded in getting the prominent Chartists into prison, as it had done in 1840. That Ernest Jones exhorted his followers to learn to bear arms is indisputable ; that the success of the revolutionary movements on the continent encouraged the belief amongst a certain number of Chartists that an armed rising was desirable and could be successful in England is equally true. But as no serious attempt was made in 1848 by the “physical force” Chartists to organize such a rising, no rising took place, and “the conspiracy,” as it was

called, was chiefly the work of the government's police spies.

The riots at Newport and Birmingham gave some excuse to the government for repression in 1839-40; in 1848 no outbreaks were even threatened to justify the sentences on Ernest Jones and other Chartist speakers. The government's chief concern was to end the agitation, even if this could only be accomplished by means of a special act of parliament, and the unsavoury methods of *agents provocateurs*. Lord John Russell and his Whig colleagues were not the men to be kept from their purpose by any nice discrimination in the choice of weapons. It was not the time, when crowns were falling on the continent, to hesitate about crushing a movement which seemed to menace public safety in England. That the strength of Chartism was in the sober, law-abiding character of most of its adherents the government knew no more than they knew that the movement was already doomed for want of cohesion.

The bitter hostility of the government pursued Ernest Jones in prison, and left him to be treated as a common felon. Ordered to pick oakum he refused, and was put on a diet of bread and water. The struggle between the prisoner and his gaolers was at last brought before the House of Commons,<sup>1</sup> and in the end Ernest Jones was allowed to purchase exemption from the allotted prison tasks by a small payment of money.

On his release from prison the Chartist movement was flickering out. It was impossible to work with O'Connor, who, now looking favourably on household suffrage, was already failing in health and showing

<sup>1</sup> See Hansard, June, 1849.

signs of the insanity which possessed him two years later. The trade-union movement and the co-operative store were attracting the attention of intelligent workmen, to whom for the time political enfranchisement seemed a lost cause. Contesting Halifax in 1852, Ernest Jones only polled 52 votes, and the *People's Paper*, which he started in that year and edited, never had the success of the *Northern Star*.

Feargus O'Connor was led away from the House of Commons hopelessly insane, to die in 1855, and Chartist utterly disintegrated could not be revived by Ernest Jones. In 1854 the movement was extinct, and from that time till his death Ernest Jones gave his political support to the advanced Radicals. He contested Nottingham in 1853 and 1857, but without success, returned to his old practice at the Bar, and wrote novels and poems. In 1868, the year of household suffrage in the towns, he was adopted by the Radicals as parliamentary candidate for Manchester, and then on January 26, 1869, came a sudden failure of the heart, and death ended all earthly hopes and plans for Ernest Jones. He was just fifty when he died, and though Chartist had passed away, Ernest Jones had not outlived his usefulness or his popularity with all those who believed in the ultimate triumph of democracy, and he had gained the respect of many earlier foes.

The People's Charter remains unfulfilled, but two of its points have long been granted—the ballot, and the abolition of a property qualification for members of parliament. Annual parliaments are no longer desired by any section of political reformers, the extension of the franchise to the agricultural

labourer in 1884 brought manhood suffrage appreciably nearer, equal electoral districts were never more than a plan of quite reasonable political theorists, and the demand for payment of members, never altogether dropped by Radicals, is once more heard in the land.

The great contention of Ernest Jones and the Chartists that political liberty should precede the granting of reforms by parliament, that the people should have the power to control and direct the deliberations of parliaments still has its advocates ; but government is passing—almost unnoticed—once more into the hands of an executive, for that “ eternal vigilance ” which is the price of political liberty is oftentimes relaxed.



# Conclusion



## CONCLUSION

**T**WO political movements may be noted to-day in Great Britain by all who are interested in such things: the Labour movement and the Women's movement for political enfranchisement.

The efforts of the past twenty-five years to establish a separate socialist party in parliament have not been directly successful, but the Labour Party has managed to return a group of some thirty workmen to the House of Commons, and these men are the responsible and trusted leaders of the trade-unions and the Independent Labour Party. Without requiring any formal acknowledgment of socialist belief, the Labour Party is largely inspired by socialist teaching, and its goal is the conquest of government by the labouring people, and a more even distribution of wealth by the gradual expropriation of the landlord and the capitalist. While adhering strictly to constitutional methods of agitation, giving full respect to the procedure of parliament and the legal conduct of elections, the leaders of the Labour Party, in their speeches at public meetings, use much of the old revolutionary talk of John Ball and Robert Ket, and the arguments of Winstanley for the popular ownership of the land. To the Labour Party as to the Chartist democratic politics are but a stepping-stone to social reform, and as in the days of the Chartist

strength of the Labour Party is in the industrial districts of the North of England, and in South Wales.

The Women's movement, on the other hand, while demanding nothing but the right to the franchise, and claiming this right to a voice in the affairs of the State on the old constitutional ground of Pym and Hampden—that those who pay direct taxation to the government must have some political control of the expenditure—boldly avows in the face of government refusal the necessity for revolutionary methods to acquire the franchise. More than 600 women have gone to prison in the last four years in the cause of Women's Suffrage, and the methods adopted have startled the public, created an enthusiasm, and generally aroused the attention of a formerly indifferent parliament to the claim of women to political enfranchisement.

Mary Wollstonecraft, in her *Vindication of the Rights of Women*, published in 1792, struck the first note of this movement. In the latter half of the nineteenth century it received the support of John Stuart Mill and a certain number of parliamentary radicals, and Women's Suffrage societies were formed. Then, five years ago, the Women's Social and Political Union was started at Manchester by Mrs. Pankhurst and her daughter Miss Christabel Pankhurst, and the extraordinary energy and activity of this union and the daring and resource of its members have made the women's demand for the vote a vital question in politics.

Both these movements—the agitation of the Labour Party for a fuller and more abundant life for wage-earners, and the agitation of the women

for political enfranchisement are proceeding in our midst—a guarantee that the centuries of struggle for freedom are not fruitless.

“The battle of freedom is never done and the field never quiet,” and while ever sun and moon endure and man seeks to dominate his neighbour, so long in England shall men and women be found to resist such dominance. For “to meet such troubles and overcome them, or to die in strife with them—this is a great part of a man’s life.”

THE END.





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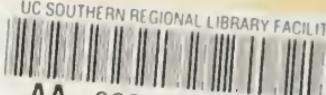
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